

LITTELL'S LIVING AGE.

Fifth Series, }
Volume XIX. }

No. 1731. — August 18, 1877.

{ From Beginning,
Vol. CXXXIV. }

CONTENTS.

I. THE FIRST LORD ABINGER AND THE BAR,	<i>Quarterly Review,</i>	387
II. THE DUKE'S PIPER: A STORY OF THE WEST HIGHLANDS,	<i>Chambers' Journal,</i>	411
III. A PRINCESS'S MOONLIGHT FLITTING,	<i>Temple Bar,</i>	425
IV. AN APOLOGY FOR IDLERS,	<i>Cornhill Magazine,</i>	433
V. A PECULIAR HOLIDAY,	<i>Fraser's Magazine,</i>	437
VI. LUX IN TENEBRIS,	<i>Spectator,</i>	444
VII. ANCIENT MODES OF EMBALMING THE DEAD,	<i>Sunday at Home,</i>	447
VIII. DISTANCES OF THE STARS,	<i>Popular Science Review,</i>	448

POETRY.

THE MELANCHOLY OCEAN,	386	A CITY WEED,	386
LENACHLUTEN,	386	SLEEP,	386

PUBLISHED EVERY SATURDAY BY
LITTELL & GAY, BOSTON.

TERMS OF SUBSCRIPTION.

For EIGHT DOLLARS, remitted directly to the Publishers, the LIVING AGE will be punctually forwarded for a year, free of postage.

An extra copy of THE LIVING AGE is sent gratis to any one getting up a club of Five New Subscribers.

Remittances should be made by bank draft or check, or by post-office money-order, if possible. If neither of these can be procured, the money should be sent in a registered letter. All postmasters are obliged to register letters when requested to do so. Drafts, checks and money-orders should be made payable to the order of LITTELL & GAY.

Single Numbers of THE LIVING AGE, 18 cents.

THE MELANCHOLY OCEAN.

Far off, amid the melancholy main. — MILTON.
Inhabiting an island washed by a melancholy ocean. —
"Vivian Grey."

Oh! the salt Atlantic breezes,
How they sweep reviving through me;
How their freshening spirit seizes
Soul and sense, to raise, renew me!

Oh! the grand Atlantic surges,
How they march, and mount, and mingle;
How their spray, exulting, scourges
Jutty cliff and sandy dingle!

Talk of melancholy ocean, —
If thou feeblest wane and wither
Every germ of glad emotion,
Come, O Vivian Grey! come thither.

Sit and mark the matchless glory
Of the clouds that overshadow us,
Afreets of the Eastern story,
Titans such as Keats portrayed us, —

Till majestically blending,
Folded on the western billow,
They await their lord's descending,
Strewing his imperial pillow.

Not in youth's intoxication,
Not in manhood's strange successes,
Didst thou drink an inspiration
Such as here the heart confesses.

Here, where joy surrounds thee wholly,
If thy thought a moment listens
To intruding melancholy,
It is born of reminiscence, —

Of the old forsaken causes,
Of the higher fame's bereavement,
Of a lifetime of applauses,
Barren, barren of achievement;

Genius in ignoble traces,
Leading ranks whom thou despisest,
Till thy self-willed fate effaces
All that in thy soul thou prizest;

For the prophet's fire and motion,
Icy mask and sneer sardonic, —
Be it so. — Majestic Ocean,
Thou art melancholy's tonic.
Spectator.

O.

LENACHLUTEN,

A WATERFALL IN ARGYLESIRE.

'MONG crags where the purple heather grows,
'Mid rocks where blooms the mountain rose,
Onward the river calmly flows
To Lenachluten.

The waters dash on the rocks beneath
In a mad wild rush, they surge and seethe,
While dancing spray with a snowy wreath
Crowns Lenachluten.

Thus ever the stream of life flows on,
With faces happy and faces wan,
A moment here on this earth, then gone,
Like Lenachluten.

Some lives pass on like a peaceful dream;
Untouched by sorrow or care, they seem
To glide as the river whose waters stream
Towards Lenachluten.

Others career on their restless way;
Whate'er betide, they are ever gay,
As gleams the sparkling sunlit spray
On Lenachluten.

Some lives with folly and sin are fraught;
They dim earth's beauty with stain and spot,
As surges the scum, an ugly blot
On Lenachluten.

And now and again a genius bright
Dazzles the earth with his spirit's flight,
As shimmers the rainbow's tinted light
O'er Lenachluten.

Chambers' Journal.

H. K. W.

A CITY WEED.

I PASSED a graveyard in a London street,
Where 'stead of songs of birds, the hoarse sad
cries

Of wretched men echoed from morn to night.
Locked were its gates, and rows of iron bars
Fenced in God's acre from tired wanderers'
feet.

All broken lay the slabs which love had raised;
But on a mound where fell a patch of light,
A bindweed grew; and on its flowers, with
eyes

O'erflowing with a wintry rain of tears,
A pale-faced, miserable woman gazed,
Heart-sick with longings for the nevermore,
And faint with memories of bygone years:
A breezy common with a heaven of stars,
And lovers parting at a cottage door.

Chambers' Journal.

SLEEP.

BEAUTIFUL up from the deeps of the solemn
sea,

Cometh sweet Sleep to me:

Up from the silent deeps,

Where no one waits and weeps:

Cometh, as one who dreameth,

With slowly waving hands;

And the sound of her raiment seemeth

Like waves on the level sands.

There is rest for all mankind,

As her slow wings stir the wind;

With lullaby the drowsy waters creep

To kiss the feet of Sleep.

Blackwood's Magazine.

J. R. S.

From The Quarterly Review.

THE FIRST LORD ABINGER AND THE BAR.*

THE subject of this memoir was not pre-eminent in forensic or judicial eloquence. He was not a great lawyer, nor a great judge, nor (in the highest sense) a great advocate; but he was, by general admission, the most successful advocate, the greatest "verdict-getter," the greatest winner of causes recorded in the annals of the English Bar. He was, moreover, a man of the strictest honor, and he never, like more than one distinguished contemporary that shall be nameless, condescended to trickery or to unworthy arts of any kind. It would be difficult to set before the rising members of the profession a more improving model or a more elevating example; and it is most fortunate, therefore, that he has clearly analyzed and fully described in his autobiography what he conceived to be the essential causes of his success. Before coming to these, we will attempt a rapid summary of those passages of his early life which exercised the most influence on his career, or contributed most largely to his mental training and the formation of his character.

In a preliminary chapter headed "The Origin and Genealogy of the Scarletts," the name is derived from Carlat or Escarlat (Aquitaine); and Bernard, Viscount of Carlat, A. D. 932, is mentioned as the first or founder of the family, "who," Mr. Scarlett adds, "soon after the Conquest were undoubtedly large landowners in Kent, and down to the sixteenth and seventeenth centuries had landed estates in five other counties." His father begins by saying that having at no time taken an interest in genealogy, he can give but little account of his paternal ancestors; that even how long they had been settled in Jamaica was entirely unknown to him. "My grandfather, James Scarlett, married the daughter of a West Indian proprietor. I have heard my father say that she was related to the family of General Wolfe, who fell at

Quebec." His mother was the daughter of Colonel Philip Anglin, a wealthy colonist. He was born in Jamaica on the 13th of December, 1769, and among his earliest recollections is that of reading the Psalter and Bible to his mother, "who had a very happy art of teaching her children to read when they were too young to retain in their memory any traces of the process she adopted." The result of her teaching was indelibly impressed.

I acknowledge with gratitude the early lessons I received from her, inculcating a high tone of moral and religious feeling, which has never ceased to influence my habits and my conduct.

It is but justice to her to state, that though surrounded by slaves, I was brought up with an abhorrence of the slave trade, and the system of slavery which is the necessary consequence of it. Be it known, notwithstanding the confident allegations of several journalists to the contrary, that I was never at any school.

His education, as he grew up, was principally conducted by tutors, first a Scotchman, and then an Englishman, — "a man of great good-nature and some talent, but not so great a proficient in Greek as I wish he had been, though he professed to make it an essential part of our studies." From fourteen to fifteen he had no other director of his studies than his father, whose favorite authors were Pope, Addison, and Swift. These they read and re-read together. Swift's prose in particular the father delighted in, "considering it as a model of simplicity, perspicuity, and force; and I owe to his lessons an early taste I still retain for the genius and manner of writing of the Dean of St. Patrick."

It was about this time that his father announced the intention of sending him to Oxford preparatory to a course of study for the bar. He himself had a boyish predilection for the navy, which, he says, soon yielded to authority and the advantages of practising at the Bar of Jamaica, where the family influence was strong; for this was the highest object of ambition then placed before him. He set sail from his native isle on the 1st of June, 1785, and arrived in London on the 1st of August. Shortly after his arrival he was entered a student of the Inner Temple,

* *A Memoir of the Right Hon. James, First Lord Abinger, Chief Baron of Her Majesty's Court of Exchequer, including a Fragment of his Autobiography, and Selections from his Correspondence and Speeches.* By the Hon. Peter Campbell Scarlett, C. B. With a Portrait. London, 1877.

under the auspices of a relation, who thought "the proper consequence" of his manly appearance was to add one year to his age in the formal entry, and the same course was followed on his admission as a fellow commoner at Trinity College, Cambridge, a few weeks later; "circumstances, which are not worth relating" (to adopt his own words) having induced him to abandon the arrangement made by his father for placing him at Oriel College, Oxford, under the special care of Dr. Everleigh, the president.

In the month of November, 1785—in my sixteenth year—I commenced my residence at Trinity College. Here a new world was opened to me; a scene of life which no part of my past experience could have led me to anticipate.

I was my own master, too: my own order upon my father's agent in London commanded money without any limit but my own discretion, and I was accountable to no one on this side of the Atlantic for my conduct, or for the use of the confidence reposed in me.

It is difficult to conceive a more trying position for a youth brought up, as he had been, under circumstances so peculiarly calculated to inspire an undue sense of importance, and foster habits of indulgence, without any counteracting knowledge of the world beyond what a small society in a slave-holding colony could supply. The presumption, follies, and extravagance of the wealthy West Indian of his time were pretty nearly on a par with what Macaulay has vividly described as the characteristic of the nabob from the East; and it would not have been in any way surprising if the fellow commoner of sixteen had emulated the conventional hero of the novel and the play. But he acted more like a mature man of the world than a novice, and fully justified the perilous confidence that had been placed in his good sense.

Under these circumstances of no little peril I boldly placed myself under the direction of my own prudence, determined to make myself acquainted with the character of the society in which I was placed, and to take no step even in the way of education till I had gathered some information to govern my judgment.

In the mean time the novelty of the scene, the variety of the characters, and the manner in which I was at once admitted amongst the gay and fashionable of the undergraduates of my own college, as well as of some others, made my time pass very agreeably with the cares or allurements of study.

The allurements of study were not aided or enhanced by the professors or tutors; whose main object at both universities in his day seems to have been to make college life as agreeable, and the pursuit of learning as little onerous, to both pupil and instructor as they well could. Lord Eldon, referring to the bachelor degree which he took at Oxford in 1770, used to relate that he was examined in Hebrew and in history. "What is the Hebrew for the place of a skull?" I replied, "Golgotha." "Who founded University College?" I stated (though, by the way, the point is sometimes doubted) that King Alfred founded it. "Very well, sir," said the examiner, "you are competent for your degree." The first lecture which Scarlett attended was one on classics, by the head tutor, and the Fifth Satire of Juvenal was announced as the subject; but "the worthy man consumed the whole of the allotted hour in vain endeavors to explain the rules of the college, and the hieroglyphics in which it was then the fashion to write the weekly butter-bills." The next day he attended a lecture on Euclid by the mathematical tutor, which gave him no inclination to try a second. A private tutor, whom he took on the recommendation of a friend, was found wanting in knowledge and industry, and motives of delicacy prevented him from engaging another. The consequence was that, his progress in the regular channels of classics and mathematics being checked, he "wasted his industry and energies on a vast amount of desultory reading, without plan or method." But were they wasted? Was not the miscellaneous knowledge thus acquired eminently useful in the end?

The embarrassing uncertainty, without support or guide, in which he was placed, renders so much the more creditable to his strength of mind the resolution he took to decline the tempting proposal to join

the "True Blue Club," then the pride of undergraduate exclusiveness and the highest object of undergraduate ambition. It so happened, he says, that he was at that time particularly averse to wine, which was an additional motive for declining the proffered honor; but he was mainly actuated by the fear that the habits of the club would be a deathblow to the habits of study and seclusion which he meditated. His matured reflection on the course which he pursued on this occasion is that it displayed more courage than wisdom. But the result proved that it was wise as well as bold. The terms of friendship or companionship on which he had formerly lived with the members of the club were renewed with the best of them so soon as the first coldness caused by the rejection of their closer friendship had worn off; his conduct was much discussed and generally applauded; his character rose; the attention of the resident master and fellows was attracted towards him, and he speedily formed connections which far more than compensated for any social advantages he had forfeited. Whilst this event was fresh, he was introduced one evening in the combination-room to John Baynes, a fellow of the college, who at the age of eighteen had taken the degree of second wrangler and carried off some of the highest honors of the university. An intimacy was immediately struck up; Baynes invited himself to tea that same evening, and after expatiating on the benefits of early rising and stating that he himself always rose at five, proposed, whilst he remained at Cambridge, to call up Scarlett every day at that hour, not for hard reading, but to enjoy the freshness of the morning during spring.

The next morning he found me up at the hour proposed. We had a long walk, and this was repeated every day whilst he remained at college. During this visit he had so entirely gained my confidence, that he became acquainted with the whole of my little history, and fathomed the very bottom of my heart. In one of those conversations he perceived that my vanity was flattered by his attentions, upon which he said: "Do you know the reason of my desire to be introduced to you? It was the report I had heard that you had declined to be a member of the True Blue Club.

This was so singular in a young fellow commoner, that I concluded there must be something very unusual about you, which I wished to find out; and now I must tell you, that having found nothing of the sort, I am much more surprised than ever at the step you took, which, had I known you at the time, I should not have advised."

Baynes had ceased to be a resident when this acquaintance commenced. He was settled in London as a special pleader in good practice; but he was in the habit of paying visits to Cambridge, and Scarlett was frequently in town. It was also agreed between them that Scarlett was to write once a week, giving an account of his progress. So strong was the stimulant thus applied that (such was his belief) very few men exceeded him in the physical powers of application or in the number of hours devoted to reading. He made considerable proficiency in mathematics and natural philosophy. He labored hard to make up his deficiency in classics. He could not boast of much progress in Greek; but he acquired great facility in Latin composition, and "eagerly devoured" the writings of the Augustan age, more especially Cicero, many of whose orations he translated into English, and then, when he had nearly forgotten the original, back into Latin.

I read also in French the works of Racine, Boileau, Montesquieu, Rollin's History and Belles-Lettres, Bossuet, and many others; amongst which was the elegant work of Beausobre on the history of Monachism* which I read with Porson, with whom I became very intimate, and who allowed me to be his teacher in the French grammar.

It was through Baynes that he had become acquainted with Porson.

It was upon one of my visits to town to keep a term in the Inner Temple that he introduced me to the celebrated Richard Porson. He had mentioned various particulars of that extraordinary man, one of which was the capacity he had for drinking, and his indifference about the liquor. He said he had known him drink at one sitting sixteen cups of tea. It happened that one Saturday even-

* The work in question was doubtless the "*Histoire Critique de Manichée et du Manichisme*" of Beausobre.

ing I was drinking tea at Baynes's chambers in Gray's Inn, after which we had agreed to go to the opera. There was a rap at the door, which induced him to go out of the room to desire the servant to deny him, but finding the visitor to be Porson, he brought him into the room and introduced him to me. He then led him into a great variety of entertaining conversation, exhibiting his vast memory and sarcastic wit, during which he plied him with tea until he had filled up the measure of sixteen cups, upon which the party broke up, Porson declining to accompany us to the opera.

In a tea-drinking bout, Porson would have encountered a formidable competitor in Johnson, who, in his reply to Hanway, describes himself as "a hardened and shameless tea-drinker, whose kettle has scarcely time to cool; who with tea amuses the evening, with tea solaces the midnight, and with tea welcomes the morning," a sentence which provoked the punning parody, "*te veniente die, te decedente.*" But Porson's inordinate potations were not confined to tea. It was after swallowing all the liquids on the table that he exclaimed, —

When wine and brandy both are spent,
Then table beer's most excellent.

Amongst the "Recollections of John Adolphus," edited by his daughter, is the following: —

"Scarlett, Lord Abinger, told me that when he was at Cambridge he was going to a party where a great display of literature was expected. Porson took an early dinner at his rooms, and (as usual) got so completely intoxicated he had to be put to bed. To the surprise of all, he got up and joined them before seven, went to the party, took the lead, and displayed an immense variety of reading, both ancient and modern. Among other things he recited Pope's 'Rape of the Lock,' with most ingenious observations, and passages from the ancients and moderns which Pope had (or might have) translated or imitated."

The feat of reciting the whole of "The Rape of the Lock" is mentioned in the autobiography, but disconnected from the antecedent intoxication, and an opinion is expressed that "Porson's great memory operated to the prejudice of his judgment; it would be more exact to say, to the prejudice of his originality.

He remembered so exactly what he had read, that he seemed never to think for himself, nor to find it necessary to employ reflection in order to work out his own ideas. He was very poor. After his fellowship expired, he had not for many years more than 40*l.* a year, the salary of his Greek professorship, to

live upon, to which may be added the right to rooms and commons in Trinity College. Yet he was too proud to be obliged to any one or even to write for emolument. He spurned anything like patronage or protection, and would not have changed his fustian breeches and worsted stockings to visit a prince. His letters to Travis were not published until after I had left Cambridge; and the preface, which contains a just and ingenious criticism upon the style of Gibbon, was written at one sitting at my chambers in the Temple.

The sitting must have been a long one, for the preface contains thirty-two pages, crowded with quotations and studded with references. Porson, relying on his memory, may have composed the critical remarks on Gibbon beforehand without putting pen to paper.

The still more valuable friendship of Romilly was in some sort the bequest of Baynes, who, early in 1788, had proposed an excursion in the autumn to the West Riding. Romilly, then a stranger to Scarlett, was to be of the party. "You will find him," wrote Baynes, "a most extraordinary person, and a most valuable acquaintance." On the very day arranged for their meeting in town to prepare for the journey Baynes was taken ill, and the day following he died, having made his will sitting up in bed with his own hand, in which he left all his law books and books of legal and historical antiquity, which Romilly did not already possess, to Romilly; the remainder, with all his Greek, Latin, French, and Italian books to Scarlett, including and specifying the works of Rousseau, which he was strongly recommended to read.

Two days afterwards, Romilly, having just returned to town from the Midland Circuit, called, and left "a charming note," expressing a hope that the calamity they both deplored might not prevent the cultivation of the acquaintance and the kind feelings which it was the warmest wish of their deceased friend to bring about. "My heart was too full not to respond to this proposal. We met in tears, and from that hour until his death I ever found him a firm, constant, and most valuable friend."*

Scarlett speaks of Romilly as having been called to the bar in that year, 1783, and makes no allusion to inequality of age. Romilly, born on the 1st of March, 1751, was the senior by more than eighteen years, and having been called in 1783, was

* It is remarkable that Scarlett is not named in the "Memoirs of Romilly," published by his sons, which include letters and a diary referring to the period and making frequent mention of Baynes.

of five years' standing when the acquaintance commenced. Scarlett did not leave Cambridge till the year following, and his tutor urged him to try for an honor, confidently promising him a high wranglership; but this would have required another year's residence, and the desire he had formed for an early establishment in life overcame every other consideration. He was already as good as engaged to the lady who afterwards became his wife. He therefore contented himself with a B.A. degree, which he took in June 1789, and came to reside in the Temple, where he began in right earnest the study of the law under the guidance of Romilly.

Besides following the course marked out for him by his friend with unremitting assiduity, he found (he says) much entertainment and useful exercise of the intellect in studying the modern cases in the reports. His custom was to read the facts and the arguments on both sides with great attention, then lay aside the book and form his own judgment of the case, before reading the opinions of the judges.

At length I was overjoyed to find that I was right in the majority of instances, and what might have been a source of vanity to me, I generally found that I had hit upon the same system of reasoning as Mr. Justice Buller had adopted in his judgment. This of course gave me a high idea of that learned judge's superiority in legal learning and acuteness.

The practice has been of great use in giving me the early habit of reflecting upon the principles and rules of the law, and applying them to new cases by my own reading; and I may here observe, what a long course of experience has taught me, that the lawyers least to be depended upon are those who are in constant pursuit of cases in point to govern their judgment, and who, therefore, seldom have sufficient knowledge of the principles to judge for themselves.

This is more than ever true, the tendency of all recent reforms of the law being to lessen the authority of decided cases, and break the connecting links of those trains or networks of legal technicality in which the ingenuity of the schoolmen was rivalled or outdone.* Late in life, Scarlett made out a list of books for a law student, at the head of which stands "*Cicero de Officiis*, once, twice, thrice: once every year." In marked contrast was the advice of Lord Eldon to Mr. Farrer to read "*Coke upon Littleton*" again and again, telling him that the law

world would be all before him if he made himself master of that book. One day when his brother, Lord Stowell, asked him (Lord Eldon) to dinner, he replied, "I dine with Coke to-day." Scarlett goes on to say that he was delighted with Blackstone, which excited fresh pleasure and admiration upon each perusal; and it will still be read with pleasure by most cultivated men, although more than half of it has become obsolete or been made a dead letter by legislation.*

In 1790, being pronounced by Romilly, on examination, strong enough for a special pleader's chambers, he became a pupil of Wood, afterwards baron of the exchequer. Here one of his contemporaries was Mr. Sturges Bourne, afterwards secretary for the home department under Canning; and when he left he surrendered his place to Canning, "with whom I then formed a slight acquaintance, little imagining that I should one day become his intimate friend and zealous supporter." The pupil of a special pleader in large practice is not tied down to regular attendance: he receives no specific teaching, and may do just so much or so little work as he thinks fit. What practical knowledge he may pick up is derived from the perusal of papers and the correction of his drafts. Scarlett's eagerness to learn speedily attracted the attention of his master, who sent him the difficult cases to deal with. His preparatory reading enabled him to despatch them more rapidly than his fellows, and he thinks he may say with truth that before he had been three months in the office the greater part of the business was done by him.

He was called to the Bar in June 1791, and then arose the question whether he should immediately return to Jamaica, where he was next to certain of all the success that influence and connection could give, or fly at higher game. Romilly recommended a middle course. He said, "I think you are likely to get a great deal of business at the Bar here; and at all events, as you are so young and have time before you, it would be well if you added some little experience to your stock of knowledge before you start in competition with men older than yourself." The

* Dr. Parr (as he states) read through the whole of Fearne's "*Contingent Remainders*" as an intellectual exercise with pleasure and improvement.

* We strongly recommend as a supplement or accompaniment to Blackstone a work recently published, entitled, "*Commentaries on the Liberty of the Subject and the Laws of England relating to the Security of the Person*," by James Paterson, Esq., M.A., Barrister-at-Law, etc., in two volumes. It takes a comprehensive view of the whole body of English law relating to personal rights and duties, and presupposes no technical knowledge in the reader.

next question was the choice of a circuit. Professional connection he had none. He did not know an attorney by sight, except those whom he had seen at Wood's chambers, and he chose the northern for no better reason than that Yorkshire was the native county of Baynes, and that his old tutor, to whom he had promised a visit, resided in it. How, from so hopeless a beginning did he eventually obtain the undisputed lead? what were the essential causes, what the primary indications of his success? Lord Brougham quotes an observation of some high legal authority, that a common law barrister can only get on by special pleading, by sessions, or by a miracle. By special pleading is meant practising below the bar for some years, so as to form a connection; and the quality of the occupation may be collected from the remark of a well-known practitioner to a friend who was meditating it for a son: "Can he eat sawdust without butter?" Lord Ellenborough chose this method, and steadily followed the uninviting vocation for seven years.* It was too slow for Scarlett, who, moreover, had not yet made up his mind to settle in England. He joined the Northern Circuit at Carlisle. It was then an understood thing among the leaders to procure every new-comer a chance, and besides two or three briefs which fell to him in that capacity, he received one which he attributes to his industry in Wood's chambers, where he had drawn the pleadings in the case.

Upon this occasion I made my *début* at Carlisle, and here it may be said was laid the foundation of my reputation. Some questions having arisen in the course of the trial upon the construction of the pleadings, it fell to my lot to explain them, which I had the good fortune to do to the satisfaction of the judge, and to receive from Mr. Law, afterwards Lord Ellenborough, who was on the other side, a very flattering compliment.

The circuit went off very agreeably. I had no cause to complain of my reception, or of my failure, for I had set out from town without the least expectation or hope of business. The next circuit took me only to York and Lancaster. It was the practice then for one judge only to take the spring circuit, the more northern counties being omitted. I there had

a good opportunity of witnessing the knowledge and quickness of Mr. Justice Buller. There were eighty-six causes to be tried at York, one of which was a boundary cause that lasted sixteen hours, thirty-six at Lancaster, and forty or fifty prisoners at each place; but Mr. Justice Buller concluded the whole circuit in three weeks. It was not the fashion of the Bar to make long speeches, or to occupy any time in resisting the opinion of the judge once declared.

Talfourd (in "Vacation Rambles") describes Lord Ellenborough as "rushing through the cause-list like a rhinoceros through a sugar plantation, or a common serjeant in the evening through a paper of petty larcenies, and about to retire to his turtle after nonsuiting the plaintiff in the twenty-second cause, which the plaintiff's attorney had thought safe for a week." Mr. Justice Buller was not in the habit of getting through his judicial work in this fashion; but his rapidity must not be considered as conclusive proof of the more satisfactory despatch of justice as compared with the present practice of the courts. When the defendant was at liberty to plead the general issue — a broad general denial of the demand — the parties frequently came into court in entire ignorance of the precise point on which the case might turn, and, technical objections being allowed *ad libitum*, a large proportion of causes broke down at starting. Many were referred under a compulsory process, which it would be no easy matter to justify.* Now, few are set down for trial which have not to be heard out and decided on the merits. Long speeches are certainly a serious obstruction, and of comparatively modern growth.

"1839, Feb. 23rd. Dined at Lord Abinger's to meet a pleasant, sociable party. . . . The day went off most agreeably. Lord Abinger knows how to manage conversation in the best manner, neither withdrawing from it nor affecting to force or to lead it. . . . With Lord Abinger I

* The effect of a reference is that the suitor, when all the expense of bringing the case into court has been incurred, is obliged to pay a referee, fee his counsel afresh, and attend probably several hearings with his witnesses. Yet it required more than ordinary presence of mind and courage to resist a judge like Lord Ellenborough, backed, as he commonly was, by counsel. On one occasion the attorney, who had been consulting with his client out of court, came back and said that he would not consent to arbitration. Clarke, the leader, hurried out, and presently returned with the welcome intelligence that he had persuaded the client to comply. "What topics did you use?" asked a junior. "Why, I told him he was a d-d fool; and that if he did not give in at once I should be obliged to use strong language." It was Clarke who, as bench of Lincoln's Inn, objected to the admission of Jews, saying, "Let them turn Christians and be d-d to them."

* The special pleader below (that is, not yet called to the Bar is (or was) allowed to charge for his work as low as 7s. 6d. or 5s. per job, it being expressly forbidden to the barrister to take less than gold. Davy (afterwards serjeant) was called to account on the Western Circuit for unprofessional conduct in taking silver from a prisoner, and defended himself by saying: "I took all the poor devil had in the world, and I hope you don't call that unprofessional!"

had a great deal of conversation. He mentioned that when he went the Northern Circuit, the only instance of a speech an hour long was one by Lord Ellenborough of about an hour and a half; but every one allowed that the greatness of the occasion, and the ability shown in the speech, made ample amends for the innovation. 'But,' he added, 'the very first speech Brougham made was three hours and a half.'"

The introduction of long speeches on the Western Circuit may be traced to Wilde (Lord Truro), whose example was strengthened by Crowder (afterwards Mr. Justice). At the end of one of his replies, a jurymen was overheard reproaching the foreman with having been asleep: "I warn't," was the indignant reply; "I can stand as much of Mr. Crowder as another; I've sarv'd in Sergeant Wilde's time." The fashion once set, it was incurring a serious responsibility to depart from it; for clients and attorneys are apt to think that they do not get their money's worth for their money, or that the cause, if lost, is thrown away, unless every imaginable topic is exhausted. The operating cause or motive may be collected from what recently took place before an eminent equity judge, who had patiently endured a speech which was not ended when the court adjourned. But the next morning, when the infliction had recommenced, he quietly addressed the counsel: "Pray, Mr. —, is your client here to-day?" "No, my lord." "Well, then —" He said no more, but he had said enough.

Scarlett always took the line which he thought best, and far from humoring the professional distributors of briefs, was accused of treating them with an undue degree of haughtiness; which, at all events, did something to correct an admitted evil and uphold the independence of the bar. He could afford it; and so could a leader of the Oxford Circuit, Taunton (afterwards Mr. Justice), when he made one of the shortest speeches recorded in forensic annals. It was a reply, in an assault case, to Charles Phillips, the Irish orator. "My friend's eloquent complaint amounts in plain English to this — that his client has received a good sound horsewhipping; and my defence is as short — *that he richly deserved it.*"

A good example of brevity on the part of both judge and counsel is given by Mr. Townshend in his "Life of Erskine." A gentleman had brought an action against

a lady for ten guineas, money borrowed. Erskine, for the plaintiff, after observing that, when love was over or out of the question, the laconic style of epistolary writing was best, said he should simply read her letter: "'Sir, when convenient you shall have your ten guineas. I despise you. — Catherine Keeling.' That is my case," said Erskine; "I shall prove the handwriting." "Is that all?" said Bearcroft. "Yes." "Then I despise *you*," and Mr. Justice Buller exclaimed: "Call the plaintiff."

Upon returning to town, after his first circuit, Scarlett was strongly recommended to attend some sessions in the northern counties by Romilly, who probably backed the advice by an observation (quoted in his memoirs) of Mr. Justice Heath, that there was no use in going a circuit without attending sessions.

I was recommended to the Lancashire sessions, that is to say to Preston, Wigan, and Manchester, which I attended for the first time in the summer of 1792; and to this I ascribed my success in the profession. The business was so great, that when in a few years I came to be the decided leader at these places, the profits of these sessions were as great to me as those of the Home Circuit to Mr. Garrow, or Serjeant Best, and I found the immediate effect of that connection between these places and the assizes in Lancashire in the quantity of business which poured in upon me then, and which from that time to the year 1827 continued a source of abundant profit to me.

He was not entirely his own master till 1798, when his father died; but he took the decided step of marrying in the month of October, 1792; and although the gradual increase of his professional gains enabled him to live without any additional allowance, he was under the necessity of narrowing the circle of his acquaintance, and "dropping into an obscure plodding lawyer," until 1800, when he found himself in a condition to re-emerge into the world. In a letter to his wife, dated Lancaster, August 8, 1796, he writes: —

Would you believe it? here at Lancaster, where I have been accustomed to receive upwards of 60*l.*, I have not yet had a single brief, and do not know of one which I am likely to have! I told you there were others more fortunate in their friends than I am. But do not be uneasy, my dearest, we can but go to Jamaica at last. I shall be happy anywhere where you are with me and happy.

His success, therefore, was gradual, and the result of steady application. It was not owing to any lucky hit or miracle.

* Adolphus, "Recollections."

It was not so much that his opportunities were more than ordinarily frequent or favorable, as that he was equal to them when they occurred. The same may be said of most of the forensic celebrities who are popularly supposed to have sprung into fame and fortune at a bound. Much of the romance of the law vanishes when we look closely at it. Erskine's story of the effect of his first speech (for Baillie) is absurd. "That night," he told Rogers, "I went home and saluted my wife, with sixty-five retaining-fees in my pocket." The year following he flourished in the face of his friend Reynolds, as the "nonsuit of cowbeef," the bank-notes which he received for his defence of Admiral Keppel. The reports of the trial of *Cibber v. Sloper* (the alleged commencement of Lord Mansfield's rise) distinctly negative the notion that he was suddenly called on to replace a leader seized with a fit. In point of fact, the leader (Serjeant Eyre) made a long speech; Murray was fourth counsel; and that he was already known to fame is proved by the well-known couplet of Pope published the year before, —

Blest as thou art with all the power of words,
So known, so honored in the House of Lords;

Thus parodied by Cibber, —

Persuasion tips his tongue whene'er he talks,
And he has chambers in the King's Bench Walks.

Bentham, in his "Vindication of Lord Eldon," asserts that "Mr. Scott waited the exact number of years it cost to take Troy, and formed his determination to pine no longer, when Providence sent an angel in the shape of a Mr. Barber, with the papers of a fat suit and a retaining-fee." Mr. Scott had not to wait more than five years, and was in the full tide of prosperity before the tenth.

In 1807, when Scarlett quitted the sessions, he had the command of every variety of business, and unable (he frankly avows) to resist solicitations which flattered his vanity and increased his means, he for some time went the round of the Courts of Common Law, the Privy Council, the two Houses of Parliament, and the Court of Chancery, till it was pointed out to him by his friend Plummer, that the King's Bench and the Northern Circuit were worth all the rest put together in point of profit, and "would with more certainty lead to greater things, if anything could be deemed greater in the profession." To these, therefore, he

at length determined to confine himself, with the exception of an occasional special retainer. He would have been already the undisputed leader of his circuit, had not a silk gown been unjustly and unaccountably denied to him until March 1816, when a note arrived from Lord Eldon to say that a patent of king's counsel was ready for him, and that his lordship would receive him to take the oaths that very day in Lincoln's-Inn Hall.

I had become almost indifferent to the honor, but on communicating the note to Lord Ellenborough, he desired that I would go immediately, and made some arrangement of the business to suit my convenience. This step was at the time so entirely unexpected that I had made no provision of either wig or robe. I was obliged, therefore, to finish the Guildhall sittings in my stuff gown, and to adjourn my appearance in silk until I arrived at York.

In the course of 1816 the elevation of Garrow, Gibbs, and Park to the Bench, and the retirement of Topping left him almost without a competitor.

I was therefore placed by business, if not by rank, at the head of the King's Bench Bar and the Northern Circuit, and I remained so, without interruption, from that time to the year 1827, when I became attorney-general, witnessing in the mean time some of my juniors, but who had never been my competitors, promoted to professional honors and offices. Indeed I may say from the year 1816 to the close of 1834, when I was appointed chief baron, I had a longer series of success than has ever fallen to the lot of any other man in the law; and if my economy and prudence had equalled my good fortune, I think none of my predecessors in that line would have laid such a foundation for his posterity. But though I have never spent the whole of my professional income since the year 1798, I am sorry to say that I have saved but little of it; and so much of that comparatively little has been invested in land, and that so injudiciously, that what I leave behind me will scarcely be worth having.

We have heard him say that the largest income he ever made in one year at the Bar was 18,500*l.*, which, since his time, has been repeatedly surpassed. He was pre-eminent at *visi prius*, and there is a traditional story that once, during the first days of Michaelmas Term, he was complaining that he had next to nothing to do, till considerably reminded that, the court being almost exclusively occupied with motions for new trials, his want of occupation might be owing to the circumstance of his having gained the verdicts in all the causes in which he had been engaged. We turn, therefore, with eager interest to

the chapters in which he develops the theory of his success. The chapter headed "On Public Speaking," in particular, is replete with valuable hints, although, we think, deficient in comprehensiveness and somewhat cramped by professional habits and a latent ever-present reference to self. Alluding to his reported speeches, he professes himself at a loss to reconcile their practical effect with the very indifferent appearance he shall make as a speaker to posterity.

It is true that my style of speaking was rapid, and my voice rather weak, and I conclude it was difficult for the shorthand writer to follow me correctly. . . . But there is something in the contrast to which I have alluded a great deal deeper, and perhaps the investigation may not be without interest. It appears to me, then, that he who seeks great reputation with the public as a speaker, must not only compose his speeches, at least, as far as regards the ornamental part, but must ingraft upon the topics that belong to his cause certain generalities in morals, politics, or philosophy, which will give scope to declamation, rhetoric, and ornament to polished phrases and well-turned sentences; to epigram, humor, and sarcasm. These are the passages which delight the general audience, and make the speech, when published, agreeable to the reader. *But they are not the passages which carry conviction to the mind, or advance the real merits of the cause with those who are to decide it.* He who looks to this purpose only must never lose sight of any important fact or argument that properly belongs to or arises out of the cause. He must show that his mind is busied about nothing else. He must be always working upon the concrete, and pointing to his conclusion. He must disdain all jest, ornament, or sarcasm, that does not fall directly in his way and seem to be so unavoidable that it must strike everybody who thinks of the facts. He must not look for a peg to hang anything upon, be it ever so precious or so fine. He must rouse in the minds of the judges or the jury all the excitement which he feels about the cause himself, and about nothing but the cause; and to that he must stick closely, and upon that reason so vehemently and so conclusively, that the greater part of the audience will not understand him, and those who read his speech afterwards will not be able to comprehend it, without having present to their memories all the facts and all the history of the cause.

Here the main view or argument is excellent; but it is pushed too far in order to meet the exact case of the writer, who cannot make up his mind to admit that his want of brilliant or generally attractive qualities as a speaker was any deduction from his merits as an advocate. Nor was it in the immense majority of cases. But

it disqualified him for the very highest order of advocacy, and it is unreasonable to lay down as a general rule that the passages in the finest productions of forensic eloquence which were heard and are still read with delight, did not carry conviction or advance the real merits of the cause. The boldest flight ever hazarded in a court of justice was the introduction of the savage with the bundle of sticks by Erskine, in his defence of Stockdale. And what does Lord Brougham say of it? "He (Erskine) saw and felt that he was gaining over the jury. Secure of this point, but still unsatisfied, and not permitting the advantage gained to be even a resting-place in his lofty career, he proceeded to deliver that victorious and triumphant passage which contributed doubtless largely to the deliverance of his client, and will remain an everlasting monument of his glory whilst the name of England and its language shall endure." *

The defence of Stockdale involved the defence of Hastings, and Erskine's lofty vindication of his Indian policy was closely interwoven with the very texture of his argument: "The unhappy people of India, feeble and effeminate as they are from the softness of their climate, and subdued and broken as they have been by the knavery and strength of civilization, still occasionally start up in all the vigor and intelligence of insulted nature. To be governed at all they must be governed with a rod of iron, and our empire in the East would long since have been lost to Great Britain, if civil skill and military prowess had not united their efforts to support an authority, which Heaven never gave, by means which it can never sanction."

Equally wrong would it be to regard Curran's splendid burst on universal emancipation, one of the most finished pieces of rhetoric in the language, as a "purple patch" tacked on by way of ornament. It was delivered in defending Archibald Hamilton Rowan, the secretary to the Society of United Irishmen, for alleged libel and sedition in publishing an address calling for universal emancipation, which the prosecuting counsel denounced as only another phrase for rebellion and confusion of ranks.

"I speak in the spirit of British law, which makes liberty commensurate with and inseparable from British soil; which

* "Historical Sketches of Statesmen of the Time of George the Third." Amongst these is a sketch of the first Lord Abinger, to which we have had frequent occasion to refer.

proclaims even to the stranger and sojourner the moment he sets his foot upon British earth, that the ground on which he treads is holy and consecrated by the genius of universal emancipation. No matter in what language his doom may have been pronounced; no matter what complexion incompatible with freedom an Indian or an African sun may have burnt upon him; no matter in what disastrous battles his liberties may have been cloven down, nor with what solemnities he may have been devoted upon the altar of slavery,—the very first moment he touches the sacred soil of Britain, the altar and the god sink together in the dust, his soul walks abroad in her own majesty, his body swells beyond the measure of the chains which burst from around him, and he stands redeemed, regenerated, and disenthralled by the irresistible genius of universal emancipation."

There is a less-known passage in this speech in which the full force and justness of the thought are flashed upon the mind by the exquisite felicity of the illustration: "This (the origin and object of government) is a kind of subject which I feel overawed when I approach. There are certain fundamental principles which nothing but necessity should expose to public examination. *They are pillars, the depth of whose foundation you can not explore without endangering their strength.*"

The peroration, which produced a tumultuous agitation in the jury and the court, was in the most elevated and most impressive style of advocacy:—

"I will not relinquish the confidence that this day will be the period of my client's sufferings; and however mercilessly he has been hitherto pursued, that your verdict will send him home to the arms of his family and the wishes of his country. But if, which Heaven forbid! it hath still been unfortunately determined that, because he has not bent to power and authority, because he would not bow down before the golden calf and worship it, he is to be bound and cast into the furnace, I do trust in God that there is a redeeming spirit in the constitution which will be seen to walk with the sufferer through the flames and preserve him unhurt by the conflagration."

No one can doubt that these highly finished passages were carefully prepared, "and it is worthy of note" (writes Lord Brougham) "for the use of the student in rhetoric, that Erskine wrote down word for word the passage about the savage and

his bundle of sticks. His mind having acquired a certain excitement and elevation, and received an impetus from the tone and quality of the matured and premeditated composition, retained that impetus after the impelling cause had died away." Lord Brougham states in another place that the perfection of public speaking consists in introducing a prepared passage with effect. He spoke from his own experience as an orator. Scarlett is speaking, and with equal weight, from his as a *nisi prius* advocate, when he deprecates the practice of composing speeches, or parts of speeches, beforehand. He tried it once, forgot his lesson, and scrambled through with difficulty.

From that time I not only renounced previous composition, but scarcely ever in thinking over the subject I was to speak upon clothed a thought with words, certainly with no words that I ever remembered afterwards, and I never found a want of words when I had thoughts or arguments to utter. *Provisam rem verba sequuntur.*

His language was correct as well as fluent, and his style bore marks of having been formed after the best models. Coleridge, in "Table Talk," June 29, 1833, is reported to have said: "I think Sir James Scarlett's speech for the defendant, in the late action of Cobbett v. the Times, for a libel, worthy of the best ages of Greece and Rome, though to be sure his remarks could not have been very palatable to his clients." Assuming this remark to refer to the trial, published in 1819, of Wright v. Clement (Cobbett's printer), found amongst his father's papers, Mr. Scarlett has reprinted Sir James' speech for the plaintiff, which contains nothing Demosthenic or Ciceronian, nothing indeed worth quoting except a criticism on Cobbett's style, of which he says: "There is a certain coarseness of feeling, a spice of *blackguardism*, which pervades his compositions, and which, though it renders them less acceptable to circles of the highest polish, renders more formidable his powers over the vulgar mind." This was the very stigma which Cobbett was wont to fix on the objects of his aversion, as when he described the respectable community of Quakers as "unbaptized, buttonless blackguards."

As regards wit, humour, and sarcasm, again, it does not follow that, because a speech destitute of either may suffice for the occasion, they will be always superfluous, meretricious, or out of place. Here, too, Erskine presents a conclusive

example — as in what branch of forensic excellence does he not? —

His humor, as gay as the firefly's light,
Played round every subject and shone as it played;

And his wit, in the combat as gentle as bright,
Never carried a heartstain away on its blade.

The invariable tendency of his sallies was to advance his cause; as when he was counsel for a man named Bolt, who had been assailed by the opposing counsel for dishonesty: "Gentlemen," replied Erskine, "my learned friend has taken unwarrantable liberties with my client's good name. He is so remarkably of an opposite character that he goes by the name of Bolt-upright." This was pure invention.

In an action against a stage-coach proprietor by a gentleman who had suffered from an upset, Erskine began: "Gentlemen of the jury, the plaintiff is Mr. Beverley, a respectable merchant of Liverpool, and the defendant is Mr. Wilson, proprietor of the Swan with Two Necks in Lad Lane — a sign emblematic, I suppose, of the number of necks people ought to possess who travel by his vehicles."

He was defending an action brought against the proprietors of a stage-coach by Polito (the keeper of a celebrated menagerie) for the loss of a trunk. "Why," asked Erskine, "did he not take a lesson from his own sagacious elephant, and travel with his trunk before him?" In this way he managed to keep both judge and jury in good humour; and Scarlett, apparently forgetful of his own theory, says of him: —

I recollect to have heard the late Mr. Justice Chambers say that a day at *nisi prius* was very dull unless Erskine was engaged in it, but he always made it entertaining by his wit and imagination; yet during the whole conduct of the cause nothing was more remarkable to those who listened than his discretion in selecting the points and facts as they arose, and applying them for the benefit of his client, in so much that Sheridan used to say of him, "Erskine in his gown and wig has the wisdom of an angel, but the moment he puts them off he is nothing but a schoolboy."

In his reply, though abounding with eloquence and ornament, no topic was admitted that did not bear directly upon the verdict.

Hume, in his "Essays on Eloquence," lays down that criticism is nearly useless without innumerable examples, but we will give only two more, selected from among Scarlett's younger contemporaries: Cockburn (the chief justice), who never rose above the common level, or struck a

chord beyond the reach of mediocrity, without producing the calculated effect; Thesiger (Lord Chelmsford), who won his way into the front rank by wit, spirit, and vivacity.

Lord Brougham relates that a person being asked at what he rated Scarlett's value, replied, "A thirteenth jurymen." Mr. Scarlett has a different version: —

I have it on Lord Chelmsford's authority that the Duke of Wellington said of my father: "When Scarlett is addressing a jury there are thirteen jurymen." This is both characteristic of the influence he exercised when addressing juries and of the duke's terse manner of expressing himself.

A thirteenth jurymen would not necessarily bring over the other twelve. What the duke probably meant was, that Scarlett, suppressing the advocate, talked to them as one of themselves and as having at heart the same object, the discovery of the truth. He did this so completely that the sense of his superiority was lost, and no suspicion broke upon them that they were under a spell woven by a master of his art. "He the best player!" exclaimed Partridge, after seeing Garrick in Hamlet, "why, I could act as well as he myself. I am sure if I had seen a ghost, I should have looked in the same manner, and done just as he did. The King for my money: he speaks all his words distinctly, half as loud again as the others; anybody may see *he* is an actor!" This is the precise spirit in which Brougham and Scarlett were compared by critics of the Partridge school. After the breaking up of the court on the last day of a long Yorkshire Assize, Wightman, then at the Bar, found himself walking in the crowd cheek by jowl with a countryman whom he had seen serving day after day on the jury. Liking the look of the man, he got into conversation with him, and finding that this was his first attendance at the Assizes, asked him what he thought of the leading counsel. "Well," was the reply, "that Lawyer Brougham be a wonderful man: he can talk, he can; but I don't think nowt of Lawyer Scarlett." "Indeed," exclaimed Wightman, "you surprise me. Why, you have been giving him all the verdicts." "Oh, there's nothing in that," said the juror; "he be so lucky, you see, he be always on the right side."

This is the correct version of the story as told by Mr. Justice Wightman. It is spoiled by Lord Brougham, who tells it thus: "A country attorney perhaps paid

him (Scarlett) the highest compliment once when he was undervaluing his qualifications, and said: 'Really there is nothing in a man getting so many verdicts who has always the luck to be on the right side.' This remark is obviously misplaced in the mouth of an attorney. It should be added, however, that the success of a popular leader in obtaining verdicts may be partially accounted for by his being generally retained for the plaintiff, who, coming first into the field, has the choice of counsel and (such is the result of professional observation) is most frequently in the right. Plaintiffs also have, or had, advantages which have been satirically attributed to the interested conclusion of the courts.

But 'tis not to b' avoided now,
For Sidrophel resolves to sue,
Whom I must answer or begin,
Inevitably, first with him.

And knowing he that first complains
The advantage of the business gains —
(For courts of justice understand
The plaintiff to be eldest hand :
Who for his bringing custom in
Has all advantages to win) —
I, who resolve to oversee
No lucky opportunity,
Will go to counsel to advise
Which way t' encounter or surprise.*

Scarlett's manner was no doubt admirably adapted to the great majority of cases, and the effect was enhanced by his comely person, gentlemanlike air, and finely modulated voice; which was so pleasing that a lady who met him for the first time said he ought to be asked to speak as others were asked to sing. But this conversational tone and flattering assumption of familiarity were out of place, or of no avail, when the jury or audience were to be moved to pity or indignation, warmed, roused, excited, or (so to speak) lifted out of themselves. If he had been leading counsel for Queen Caroline, he would hardly have risen to the occasion, which seemed made for Brougham. He had no more tenderness or sensibility than fancy or imagination. Erskine's speech in *Howard v. Bingham* was as much beyond and above him as the defence of Stockdale.

This was an action of *crim. con.* brought by Mr. Howard, heir-presumptive of the Duke of Norfolk, against the Hon. R. Bingham, afterwards Earl of Lucan; to

whom the erring fair one, daughter of the last Earl of Fauconberg, was engaged when she was compelled by parental authority to marry Mr. Howard. He, therefore, Erskine contended, was the real wrong-doer.

If Mr. Bingham this day could have, by me, addressed to you his wrongs in the character of a plaintiff demanding reparation, what damages might I not have asked for him? I would have brought before you a noble youth who had fixed his affections on one of the most beautiful of her sex, and who enjoyed hers in return. I would have shown you their suitable condition: I would have painted the expectation of an honorable union, and would have concluded by showing her to you in the arms of another, by the legal prostitution of parental choice in the teeth of affection; with child by a rival, and only reclaimed at last after so cruel and so afflicting a divorce, with her freshest charms despoiled, and her very morals in a manner impeached, by asserting the purity and virtue of her original and spotless choice. Good God! imagine my client to be plaintiff, and what damages are you not prepared to give him? And yet he is here as defendant, and damages are demanded against him. Oh, monstrous conclusion!

The jury gave only 500*l.* damages, as little as could well be given, considering the rank and position of the parties. Curran obtained 10,000*l.* in the case of *Masse* against the Marquis of Headfort, in which, by a bold figure, he supposed the jury remonstrating with the noble defendant: "You would have said to him, 'Pause, my Lord, while there is yet a moment for reflection. What are your motives, what your views, what your prospects from what you are about to do? You are a married man, the husband of the most amiable and respectable of women; you cannot look to the chance of marrying this wretched fugitive; between you and such an event *there are two sepulchres to pass.*'"

The very ingenuity which proved so successful in ordinary cases was against Scarlett when higher objects were at stake and *nisi prius* tactics misapplied. A striking example occurred at the trial of Ambrose Williams, the editor of the *Durham Chronicle*, for a libel on the Bishop and clergy of Durham, August 18, 1821. The pith of the alleged libel was contained in the following passages:—

So far as we have been able to judge from the accounts in the public papers, a mark of respect to her late Majesty (Queen Caroline) has been almost universally paid throughout the kingdom, when the painful tidings of her decease were received by tolling the bells of the cathedrals and churches. But there is one

* "Hudibras," Part iii. Canto 3. The plaintiff had the choice of the form of suit, the time, the court, and the *venue* or locality from which the jury was to be taken.

exception to this very creditable fact which demands especial notice. In this episcopal city, containing six churches independently of the cathedral, not a single bell announced the departure of the magnanimous spirit of the most injured of queens, the most persecuted of women. Thus the brutal enmity of those who embittered her mortal existence pursues her in her shroud.

"We know not whether any actual orders were issued to prevent this customary sign of mourning; but the omission plainly indicates the kind of spirit which predominates among our clergy. Yet these men profess to be followers of Jesus Christ, to walk in his footsteps, to teach his precepts, to inculcate his spirit, to promote harmony, charity, and Christian love! Out upon such hypocrisy!"

The prosecution was conducted by Scarlett as Attorney-General for the Palatinate, and in his opening speech (the feelings of the clergy being notorious) he contended that the silence of the bells might have been intended as a mark of respect.

It is not justifiable, it is not to be endured, that a man should draw a false inference, and that he should thereupon libel a body of men, and attempt to bring them into disgrace and contempt, because they were not so loud in their grief, *being, perhaps, the more sincere*, and because their bells were not tolled, *but suppressed their emotions* on the death of the queen.

Brougham, who led for the defence, saw the blunder, and pounced upon it as the falcon pounces on its prey. He first placed the facts in broad relief by his cross-examination of the witness called to prove the publication.

Do you recollect hearing of the death of her late Majesty? I do.

Then you recollect the day on which the melancholy intelligence arrived in Durham? I do.

I presume you heard the bells of the cathedral and other churches toll in the usual way? No, sir; I cannot say that I did.

Why, you are not deaf? No.

Do you believe they were tolled, or not? I believe they were not.

Do you recollect the coronation of his Majesty, a short time before the melancholy occasion of which we have been speaking? Yes.

Did the bells keep it all to themselves that day? No, sir.

Did they ring? Yes; all the bells rang upon that day.

What! the cathedral and all? Yes, sir; all the bells in the town.

They rung many a merry peal? Yes, sir.

From the biggest to the least church? Yes, sir.

They did not "suppress their emotions" on that occasion? No.

Do you recollect the death of his late Majesty? Yes.

What part did the bells take then—the hypocritical, or the frank part? I cannot recollect, but I think they tolled.

Do you recollect the death of the late Queen Charlotte? Yes, sir, I do.

What part did the bells take then? They tolled.

After calling attention to this evidence and the passage charging hypocrisy, he launched out:—

That you may understand the meaning of this passage, it is necessary for me to set before you the picture my learned friend was pleased to draw of the clergy of the diocese of Durham, and I shall recall it to your minds almost in his own words. According to him they stand in a peculiarly unfortunate situation; they are, in truth, the most injured of men. They all, it seems, entertained the same generous sentiments with the rest of their countrymen, though they did not express them in the old, free, English manner, by openly condemning the proceedings against the late queen; and after her glorious but unhappy life had closed, the venerable the clergy of Durham, I am now told for the first time, though less forward in giving vent to their feelings than the rest of their fellow-citizens, though not vehement in their indignation at the matchless and unmanly persecution of the queen, though not so unbridled in their joy at her immortal triumph, nor so loud in their lamentations over her mournful and untimely end, did, nevertheless, in reality, all the while, deeply sympathize in her sufferings, in the bottom of their reverend hearts!

When all the resources of the most ingenious cruelty hurried her to a fate without parallel, if not so clamorous, they did not feel the least of all the members of the community, their grief was in truth too deep for utterance, sorrow clung round their bosoms, weighed upon their tongues, stifled every sound, and when all the rest of mankind, of all sects and of all nations, freely gave vent to the feelings of our common nature, THEIR silence, the contrast which THEY displayed to the rest of their species, proceeded from the greater depth of their affliction; they said the less because they felt the more! Oh! talk of hypocrisy after this! Most consummate of all the hypocrites! After instructing your chosen, official advocate to stand forward with such a defence—such an exposition of your motives—to dare utter the word hypocrisy, and complain of those who charged you with it! This is indeed to insult common sense, and outrage the feelings of the whole human race! If you were hypocrites before, you were downright, frank, honest hypocrites to what you have now made yourselves, and surely, for all you have ever done, or ever been charged with, your worst enemies must be satiated with the

humiliation of this day, its just atonement, and ample retribution!

In the sparring match which took place on the motion in arrest of judgment, Brougham had the best of it again.

Mr. Scarlett asserted, that the words "of and concerning" were in his copy of the information.

Mr. Justice Bayley read the passage from the record, which proved that Mr. Brougham was correct.

Mr. Scarlett. It was so in my copy; I was equally confident with you.

Mr. Brougham. Yes; but there was this difference — you were confident and wrong; I was confident and right. The difference was merely between a well-founded observation, and one that had no foundation at all. I only mention this to prevent any further interruptions, of which I have had two already.

"All men will agree with me," remarks Vivian Grey, "that the only rival to be feared by a man of spirit is a clever boy." All lawyers will agree that the most embarrassing witness to cross-examine is a clever woman. Mrs. Clarke was a notable instance; and Scarlett met with more than his match in Mrs. Foote, the mother of Maria Foote (afterwards Countess of Harrington), plaintiff in the breach of promise cause of *Foote v. Hayne* (Pea-Green Hayne, as he was called), who was supposed to have been cajoled into the engagement by the mother. She completely baffled Scarlett, but, by one of his happiest strokes of advocacy, he turned his failure into a success: "You saw, gentlemen of the jury, that I was but a child in her hands. *What must my client have been?*" His client had acted unhandsomely in evading the engagement on the plea of passages in the life of the lady which were well known to him when he proposed to her, and Copley (Lord Lyndhurst) who led for the plaintiff, making the most of this circumstance, gained the verdict, damages 3000*l.*

An instance of Scarlett's skill as a tactician is given by his son, on the authority of Mr. Evelyn of Wotton: —

On one occasion an action was brought for the abatement of a nuisance, and Mr. Scarlett was employed for the defence. He began his cross-examination of a lady, the plaintiff's witness, by enquiring tenderly about her domestic relations, her children, their illnesses. The lady became confidential, and appeared flattered by the kind interest taken in her. The judge interfered with a remark about the irrelevancy of this. Mr. Scarlett begged to be allowed to proceed, and on the conclusion of

the cross-examination he said, "My lord, that is my case." He had shown, on the witness's testimony, that she had brought up a numerous and healthy progeny in the vicinity of the alleged nuisance.

The jury, amused as well as convinced, gave a verdict for the defendant.

Two other anecdotes are given in the memoir, one of which has evidently been misreported and the other misunderstood.

I will not vouch for the accuracy of the following anecdote in detail, but I give it as I received it at second hand.

Mr. Justice Patteson related the following story of my father's dexterity in the conduct of a cause, the ends of justice being attained by a theatrical display of incredulity which deceived both Brougham and Parke, the counsel on the other side. My father with Patteson as junior counsel were for the defendant. He told Patteson that he would manage to make Brougham produce in evidence a written instrument the withholding of which, on account of the insufficiency of the stamp, was essential for the success of his case. That on Patteson observing that even if he could throw Brougham off his guard he would not be so successful with Parke, my father answered that he would try. And he then conducted the case with such consummate dexterity, pretending to disbelieve the existence of the document referred to, that Brougham and Parke resolved to produce it, not being aware that my father had any suspicion of its invalidity. Patteson described the air of extreme surprise and mortification of my father on its production by Brougham, with a flourish of trumpets about the "non-existence of which document his learned friend had reckoned on so confidently." Patteson went on to say that the way in which my father asked to look at the instrument and his assumed astonishment at the discovery of the insufficiency of the stamp were a masterpiece of acting.

This is unintelligible. The existence of the document being admitted, what did Scarlett gain by its production? or what did Brougham lose by the discovery of its invalidity, if its production was not essential to his case?

The other anecdote runs, that Sir Walter Scott promised a friend to write a book for his benefit. The friend died before the fulfilment of the promise, and the question arose whether Sir Walter was legally bound to write a book for the benefit of the widow and children of the deceased.

This Sir Walter refused to do. The executors sought the advice of Mr. Scarlett, who having listened to their case, said: "Let us suppose the position to be reversed; if Sir Walter Scott had died, should you have re-

quired his executors to write a book for the benefit of your clients?" "Oh, no!" exclaimed the executors, convinced at once that they had no case against Sir Walter Scott.

Scarlett was joking, if he really said anything of the sort. If the promise was legally binding in the first instance, it was not necessarily made void by the death. Suppose the friend had advanced, or engaged to pay, a given sum for the book. Suppose a celebrated painter had entered into a similar engagement to paint a picture.

Lord Houghton relates that, sitting by Lord Abinger at table at Lady Holland's in Great Stanhope Street, he asked him whether he had had any especial secret by which he got his verdicts. Lord Abinger said that he thought his success was mainly owing to his habit of seldom addressing the jury collectively, but of selecting one or two of them,—generally one, and by no means always the foreman, with whom he reasoned on the subject as best he could, placing himself, as it were, in mental communication with him, and going on till he appeared to have convinced him. "Brougham," he added, "at one time, detected my process, and imitated me as well as he could, but somehow or other he always hit on the wrong man."

Scarlett's influence was not confined to juries. It was almost as great with the judges, and he accounts for it by stating that he never wasted their time by arguments he knew to be unsound, and that, habitually overcoming both the bias of the advocate and the importunity of the client, he at once gave up cases which could not and ought not to be maintained.

Upon this subject, perhaps, I may be excused for relating an anecdote which is an illustration of it. On the Northern Circuit at certain periods there used to be a grand supper, at which all the members were assembled, and the expenses of which were paid by fines and congratulations that resulted in contributions to which the principal leaders were subject. These were introduced, in general, in a ceremonious speech, by one of the body who bore the office of attorney-general of the circuit. Upon the occasion to which I allude, the present Lord Chief Justice Tindal held that office. I was leader of the circuit both in rank and business. He introduced my name for the purpose of a congratulation, by stating that his friend Mr. Scarlett had for many years been employing his genius in the invention of a machine which he had brought to perfection. The operation the whole circuit were in the habit of witnessing, with astonishment at his success. He, the attorney-general, had at length discovered the secret, which was no

other than a machine which he dexterously contrived to keep out of sight, but by virtue of which he produced a surprising effect upon the head of the judge. "You have all noticed, gentlemen, that when my learned friend addresses the court he produces on the judge's head a motion angular to the horizon like this," he then made a movement of his head which signified a nod of approbation. When he had carried his motion by a unanimous vote of congratulation, he proceeded to another leader of the circuit (Brougham), a gentleman of more popular and of much higher reputation as a speaker than myself. He said, "This gentleman, as you all know, has for years been devoting his illustrious talents to surpass Mr. Scarlett. This he endeavors to accomplish by various means, and amongst others by imitating his example in the invention of a machine to operate on the head of the judge. In this he has at length, after much labor and study, succeeded. But you have observed that the motion he produces is of a different character. It is parallel to the horizon, in this fashion," he then moved his head in a manner denoting dissent. The contrast and the joke occasioned much laughter, in which the gentleman last alluded to most heartily joined, his good nature being not less remarkable than his talents.

His influence over Lord Tenterden was so marked as to become the subject of complaint and invidious comment, not always without reason, at the Bar. He once rather rudely reminded Adolphus (the elder), whose practice was mostly in the criminal courts, that he was not in the Old Bailey. "I know and feel that I am not," was the spirited retort, "for there the judge controls the counsel, and here the counsel controls the judge."*

In proof of the ease with which work might be got through by one who thoroughly understood his business, Scarlett boasted in our hearing that he had dined out every day during the whole of a long Guildhall sittings. Curran used to say that if you were for the plaintiff you must look at your brief, but if for the defendant, you could pick up the facts as they came out. Once knowing nothing of his case, or having none, he desired a bystander, dead drunk, on whom his eye accidentally alighted, to be called into the witness-box, and when nothing intelligible could be elicited from him, declared that the opposite party had got hold of his only witness and reduced him to the condition in which the jury now saw him. Scarlett never

* Bethell (Lord Westbury) held Vice-Chancellor Shadwell in complete subjection; and Wilde (Lord Truro) exercised considerable authority over Chief Justice Tindal in the Common Pleas. Wilde's influence, however, was won and used like Scarlett's: Bethell's was not.

went quite so far as this, but he made short work with his briefs.

I may ascribe to the practice I was obliged to adopt at Manchester the great facility with which I was able to conduct the mass of business that afterwards passed through my hands on the circuit, and at Westminster and at Guildhall. The counsel were accustomed to arrive late in the evening before the sessions, the attorneys on the next day. The magistrates commenced their business at half past eleven. It was only during the few hours that elapsed from eight to that time that I had to prepare the day's work. It sometimes occurred that I had fifteen or twenty briefs in settlement cases, which were always taken the first day. To make myself master of the points in each by reading them was impossible. As to the law and the decided authorities I came well prepared, and required no study. The mode then which I adopted to obtain the facts was to interrogate the attorney when he came with his brief what was the fact in his own case on which he mainly relied. Next what he supposed his adversary's case to depend upon. Having made a short note of his statement on the back of the brief, I proceeded to discuss the appeal without further instruction or meditation, and I believe I may safely say that I did not read one brief in ten in the most important cases in which I was concerned at quarter sessions.

As briefs are charged so much *per folio*, they are occasionally diffuse. A very thick brief having been brought to Sir Vicary Gibbs' lodgings in an assize town late at night, he requested to see the attorney. "Is all this evidence?" "No, sir; there are forty pages containing my observations." "Point them out." These he tore off and thrust into the fire, with the remark, "There go your observations."

In like manner [continues Scarlett], when I began to lead causes in the superior courts, it was my practice to inquire of my junior counsel what were the points in the cause on both sides, and to make a minute of those on the back of the brief. Instead of doing this, which I always found successful in practice, had I attempted to read masses of paper delivered in each case, I am certain that I should not have time to read one in five, applying the whole period of my absence from court to that duty alone. Undoubtedly the case would be very different at present. The number of causes tried in a day seldom amount to half a dozen of all sorts on an average. But Lord Kenyon and Mr. Justice Buller disposed with ease of twenty-six in a day, and Lord Ellenborough's average was twenty. I do not pretend to assign the cause of this difference, though the fact is unquestionable that the labor of the sittings, though much shorter, was more severe in those times whilst it lasted, than it has ever been since.

The principal causes of the difference have been already indicated, and the convivial habits of the Bar had a good deal to do with the perfunctory manner in which business was got through in the olden time. When Wilde (Lord Truro) joined the Western Circuit he was an invalid, and travelled with his wife. He rarely dined at the circuit mess, and devoted the entire evening to his briefs. This compelled a corresponding alteration of habits in others; and a popular leader, afterwards a distinguished judge, is reported to have said to him: "I tell you what it is, Wilde, you have spoiled the circuit. Before you joined us, we lived like gentlemen, sat late at our wine, left our briefs to take care of themselves, and came into court on a perfect footing of equality. Now all this is at an end, and the assizes are becoming a drudgery and a bore."

Scarlett states that, as a general rule, he refrained from any anticipation of the defendant's case, which he deemed dangerous, as leading both judge and jury to seek for support to it in the plaintiff's evidence.

I found from experience, as well as theory, that the most essential part of speaking is to make yourself understood. For this purpose it is absolutely necessary that the court and jury should know as early as possible *de quid re agitur*. It was my habit, therefore, to state in the simplest form that the truth and the case would admit the proposition of which I maintained the affirmative and the defendant's counsel the negative, and then, without reasoning upon them, the leading facts in support of my assertion. Thus it has often happened to me to open a cause in five minutes, which would have occupied a speaker at the Bar of the present day from half an hour to three quarters of an hour or more.

This can hardly be intended to apply to great occasions. Lord Lyndhurst, late in life and as the fruit of long observation and experience, attached paramount importance to the opening speech; and the most accomplished advocates (including Erskine), as may be collected from their known practice, agreed with him. The rival systems came into fair conflict in the case already mentioned of Foote *v.* Hayne; in which Lord Lyndhurst made so telling an impression by his opening speech that all his antagonist's ingenuity proved vain. Wilde, like Scarlett, relied mainly on his replies, which, although generally effective, were exhaustive in every sense of the word. Of Scarlett's it has been justly remarked that they did not

consist of a mere series of ingenious remarks on conflicting evidence; still less of a tiresome examination of the testimony of each witness singly; but were as finely arranged on the instant, and thrown into as bold and decisive masses as if they had been prepared in the study. When a case had been spread over half the day, and apparently shattered by the speech and witnesses of his adversary, he would gather it up, condense, concentrate, and render it conclusive.

We invite particular attention to what comes next:—

I learned by much experience that the most useful duty of an advocate is the examination of witnesses, and that much more mischief than benefit generally results from cross-examination. I therefore rarely allowed that duty to be performed by my colleagues. I cross-examined in general very little, and more with a view to enforce and illustrate the facts I meant to rely upon than to affect the witness's credit, *for the most part a vain attempt.*

It is to be hoped that his example will be followed in this respect, or that the judges will interpose with a high hand to check what is becoming an intolerable abuse. Cross-examination, as at present conducted, is a grave hindrance to the administration of justice, not only by the waste of time, but by its tendency to keep back both prosecutors and witnesses; for who would willingly submit to the moral and mental torture of which the witness-box is too frequently the scene? The proceedings in the Bravo case were a positive disgrace to a civilized country; and if the examinations and cross-examinations in the Tichborne case, as well as the speeches, had been kept within moderate bounds, we should have been spared most of the popular excitement that has ensued. It really seemed as if all engaged were in league to lend an undue importance, a mock and mischievous air of dignity, to what was all along an impudent imposture on the face of it.

In five cases out of six, cross-examination in unskilful hands has the effect of bringing out more clearly and strongly the very facts it is the object to keep back or explain away. It used to be understood that the judge was virtually the counsel of the prisoner who had retained none. Two prisoners were on trial for a capital felony before Baron Parke (Lord Wensleydale) at Salisbury, only one being defended by counsel, who, in the course of his cross-examination of the chief witness, asked a question relating to the other. "Stop there, Mr. R.," interposed the judge;

"hang your own man if you think fit, but please to leave mine alone!"

If we may trust Lord Brougham, a remarkable instance is remembered in Westminster Hall of his (Scarlett's) acting in the face of the jury at the critical moment of their beginning to consider their verdict. He had defended a gentleman of rank and fortune against a charge of an odious description. He had performed his part with even more than his accustomed zeal and skill. As soon as the judge had summed up, he tied up his papers deliberately, and with a face smiling and easy, but carefully turned to the jury, he rose and said, loud enough to be generally heard, that he was engaged to dinner, and in so clear a case there was no occasion for him to wait what must be the certain event. He then retired deliberately, bowing to the court. The prosecuting counsel were astonished at the excess of confidence or of effrontery; nor was it lost upon the jury, who began their deliberation. But one of the juniors, having occasion to leave the court, found that all this confidence and fearlessness had never crossed its threshold; for behind the door stood hid Sir James Scarlett trembling with anxiety, his face the color of his brief, and awaiting the result of the clearest case in the world in breathless suspense. The jury, a special jury, found for the defence; but we cannot think that they were influenced by so palpable an artifice; of which, moreover, we should have thought Scarlett incapable. It hardly falls within the limits of legitimate advocacy, and sounds quite out of keeping with his character.

In reference to Erskine's ill-success in Parliament, Scarlett, after defining the duty and object of the forensic orator, "to carry conviction to twelve men chosen to adopt or reject a specific proposition upon oath," proceeds:—

How different is the object and the duty of the Parliamentary speaker!

He addresses an assembly of which the majority have already decided the vote. He does not expect to bring conviction to any individual amongst them. There is to be no movement, and no act done in consequence of his speech or of the debate. The object is to flatter and encourage his own party, and to hold the opposite party or their measures up to contempt and sarcasm. He is therefore not called upon to apply himself to the subject of nominal discussion, for any other purpose than that of connecting it with such topics of praise or blame as he may think fit to introduce. His chief object must be to command the attention of his hearers, and this is not to

be done so well by any efforts upon their reason or their knowledge respecting the question before them, as by the dexterous handling of any extraneous matter that he can make the subject of praise or blame.

There is no method more common or more exciting than that of selecting some individual, and exposing him to ridicule, or sarcasm, or contempt. In short the character of the eloquence of the House of Commons is that which is termed by the ancient rhetoricians "*demonstration*." It is convenient in praise or blame. The chief figure is exaggeration. It is like scene-painting, which is to have its effect at a distance. It is not for the assembly, but the gallery, and the newspapers. Hence it appears to me that if two orators of equal parts had each taken one of these two lines, and by usage acquired great facility and reputation, neither would find it easy on changing his line to fall at once into the habits and discipline required to ensure him a successful comparison with the other.

The concluding proposition is undeniable; but, consciously or unconsciously, his comparison is unduly favorable to the arena in which he shone pre-eminent at the expense of that in which he failed. It is a well-known saying, attributed to Ferguson of Pitfour, that he had heard many speeches which influenced his opinion, never one which had the least effect upon his vote. But is it true that the sole or main object of the Parliamentary speaker is temporary effect? that he does not try or expect to bring conviction? that he does not appeal to the reason or knowledge of his audience? that it is not for them but for the gallery and the newspapers that his streams of argument or eloquence are poured out? We should say that the very opposite is the case: that although the House of Commons likes to be amused or excited, and was ever ready to cheer the sparkling pleasantries of Mr. Osborne or the sarcastic wit of the present premier, it has always been an essentially practical, business-like assembly, whose attention is best secured by earnestness, mastery of the subject, and a fair claim from peculiar information or position to be heard. No audience can be more habitually alive to the difference between sparks from a working engine and fireworks let off for display. It was not by rhetorical artifices or declamatory flights that the greatest masters of Parliamentary debate, from Walpole and Pulteney to Peel and Gladstone, acquired their admitted supremacy. When, therefore, the forensic orator who has been wont to mould juries to his will, finds himself unable "th' applause of listening senates to command,"

he must not lay the flattering unction to his soul that it is because he cannot or will not resort to meaner arts or sink to a lower level. It is rather because he cannot expand his views, widen his grasp, and elevate his tone.

Deliberately ignoring the fact that the barrier which proved insurmountable to himself had been overleaped by many similarly situated, Scarlett makes no mention of the forensic orators who have succeeded in Parliament, although the number is larger than might have been anticipated, considering how rarely we find the same person at the top of two arts, sciences, professions, or intellectual pursuits, even those more congenial than politics and law. There is no greater *a priori* probability that a first-rate advocate should be a first-rate Parliamentary speaker, than that a great painter should be a great sculptor and a great architect — which Michael Angelo *was** — or that an eminent novelist should be equally eminent as a dramatist, which Lesage, Fielding, and Scott were *not*. But we can produce a highly respectable list of first-rate advocates who have become first-rate Parliamentary speakers.

Macaulay does not much exceed the contemporary estimate when he says that "Somers was equally eminent as a jurist and as a politician, as an orator and as a writer;" that "he left a great reputation in the House of Commons, where, during four years, he had always been heard with delight." The Duke of Wharton says of Lord Cowper, that "it was the orator that lighted up the most shining parts of the statesman and the judge;"† and Sir Charles Hanbury Williams specifies amongst the rarities to be preserved in Sir Hans Sloane's Museum, —

Some strains of eloquence which hung
In ancient times on Tully's tongue,
But which conceal'd and lost had lain
Till Cowper found them out again.

Murray (Lord Mansfield), the silver-tongued Murray, was at one time the only opponent that could make head against the great Commoner. "They alone," says Lord Chesterfield, "can inflame or quiet the House; they alone are attended to in that numerous and noisy assembly, that

* Architecture has been dissociated from the sister arts; but painting and sculpture are still occasionally and successfully combined: witness Landseer's "*Lions*," Mr. Watts' "*Clyte*," and Mr. Leighton's "*Athlete Strangling a Python*," for which 2000*l.* was at once given by the Academy.

† "*The True Briton*," No. 40.

you may hear a pin fall when either of them is speaking."

Mr. Charles Butler (in his "Reminiscences") describes Lord Camden's judicial eloquence as of the colloquial kind — "extremely simple, diffuse, but not desultory. Sometimes he rose to the sublime strains of eloquence; but the sublimity was altogether in the sentiment; the diction retained its simplicity: this increased its effect." He concluded his judgment in Wilkes' case with these words: "If these superior jurisdictions shall declare my opinion erroneous, I submit, as will become me, and shall kiss the rod; but I must say I shall always consider it as a rod of iron for the chastisement of the people of Great Britain." His reputation rose instead of sinking in the House of Lords, where his style was the exact contrary of that which professional habits are calculated to form. Thus, on literary Copyright: "Glory is the reward of science, and those who deserve it scorn all meaner views. I speak not of the scribblers for bread, who tease the world with their wretched productions; fourteen years is too long a period for their perishable trash. It was not for gain that Bacon, Newton, Milton, Locke, instructed and delighted the world. . . . When the bookseller offered Milton five pounds for his 'Paradise Lost,' he did not reject it and commit his poem to the flames, nor did he accept the miserable pittance as the reward of his labors; he knew that the real price of his work was immortality, and that posterity would pay it."*

Lord North is described by Gibbon as "seated on the treasury bench, between his attorney and solicitor-general, the two pillars of the law and State, *magis pares quam similes*, and the minister might indulge in a short slumber whilst he was upheld on either hand by the majestic sense of Thurlow and the skilful eloquence of Wedderburne."

Thurlow nobly vindicated his own position and that of the profession in his reply to the Duke of Grafton, who had taunted him with his humble birth and his recent elevation to the peerage. The scene is

described by Mr. Charles Butler, who was present:—

He rose from the woosack, and advanced slowly to the place from which the chancellor generally addresses the house. Then fixing on the duke the look of Jove when he grasps the thunder, "I am amazed," he said, in a level tone of voice, "at the attack the noble duke has made on me. Yes, my lords," considerably raising his voice, "I am amazed at his Grace's speech. The noble duke cannot look before him, behind him, or on either side of him, without seeing some noble peer who owes his seat in this house to his successful exertions in the profession to which I belong. Does he not feel that it is as honorable to owe it to these, as to being the accident of an accident? To all these noble lords the language of the noble duke is as applicable and as insulting as it is to myself. But I don't fear to meet it single and alone. No one venerates the peerage more than I do; but, my lords, I must say, that the peerage solicited me, not I the peerage. Nay more, I can say, and will say, that as a peer of Parliament, as speaker of this right honorable House, as keeper of the great seal, as guardian of his Majesty's conscience, as lord high chancellor of England, nay, even in that character alone in which the noble duke would think it an affront to be considered, as a man, I am at this moment as respectable, — I beg leave to add, I am at this time as much respected, as the proudest peer I now look down upon."

Dunning (Lord Ashburton) was an excellent debater, and, despite of marked physical disadvantages, never failed to command the attention of the House of Commons. Lord Brougham says that "in Parliament Sir William Grant was unquestionably to be classed with speakers of the first order. None was more easily listened to, none so difficult to answer." It is related of Fox that, finding his attention distracted by the conversation of some members near him when listening to Grant with a view to a reply, he sharply turned to them and exclaimed, "Do you think it so very pleasant a thing to have to answer a speech like *that*?"

Romilly's Parliamentary position and moral weight (which should count as well as oratory) are well known. The bare facts that Dundas had been lord advocate before he became the right hand of Pitt, and that Perceval took the solicitor-generalship on his way to the premiership, prove that they succeeded both in Parliament and at the Bar. The same proud pre-eminence will not be denied in any quarter to Lord Lyndhurst and Lord Brougham. We pause at Bethell (Lord Westbury), although in casuistical subtlety and dexterity he more than once ran Mr.

* We do not quote this as agreeing in the argument. Milton got as much as he could, and many of the most valuable productions of learning and genius, including "Johnson's Dictionary" and the "Waverley Novels," were stimulated by the hope of gain.

"Let others spin their meagre brains for hire,
Enough for genius if itself inspire!"

Neither the genius which dictated these lines, nor the genius to which they were addressed, found the inspiration enough; and it is quite startling to think how many of the brightest ornaments of literature come strictly within the description of "scribblers for bread."

Gladstone hard. But we shall hardly provoke a protest by including Lord Selborne and Lord Cairns; and the question being whether the forensic training or cast of mind is fatal to Parliamentary success, we may confidently point to the present chief justice (Cockburn) and the late Sir William Follett. Cockburn's speech in the Pacifico debate (June 28, 1850) was followed by a complete tumult of applause, and Follett's on the Dissenters' Marriage Bill, in 1836, has ever since been cited as one of the rare instances of speeches which materially influenced the division. Another such instance was Macaulay's speech on the late Lord Hotham's Bill for excluding the master of the rolls and others holding judicial offices from the House of Commons, and here we may observe that Macaulay was bred a barrister, as were Tierney, Horner, and Pitt, who went the Western Circuit and held briefs. Turning to Ireland we find Curran, Bushe, Fitzgibbon (Lord Clare), O'Connell, Plunkett; whilst the striking examples of Odilon-Barrot, Dupin, and Berryer, are supplied by France.

Erskine's comparative failure — for it was only comparative — may be accounted for by personal and peculiar causes. He had Pitt, Fox, Burke, Sheridan, Windham, Grey, for competitors, and he had his own splendid reputation to contend against. He must have felt like Sheridan, who it was said was deterred from writing another comedy by fear of the author of "The School for Scandal." This is substantially confirmed by Scarlett.

I have heard him several times, when he spoke second only to Pitt and Fox, and commanded the profoundest attention. What can be expected from a lawyer in great practice, who has not time for the exigencies of his own profession? Mr. Burke used to say, "The best that the lawyers bring us in this House is but the rinsing of their empty bottles."

Besides being unequal from habits and temperament to the double exertion, Erskine was so intensely sensitive, that he was once confused and put out in an impassioned address to a jury by a yawning attorney, placed by malice prepense exactly in his line of view under the jury-box. Arrested in his own despite by the absent or desponding look of Garrow, who was with him in a cause, he whispered, "Who do you think can get on with that wet blanket of a face of yours before him?" His maiden effort in the House of Commons was marred by the real or affected indifference of Pitt, who, after listening a few

minutes, and taking a note or two as if intending to reply, dashed pen and paper upon the floor with a contemptuous smile. Erskine, it is said, never recovered this expression of disdain; "his voice faltered, he struggled through the remainder of his speech, and sank into his seat dispirited and shorn of his fame."* On another occasion, Pitt rose after Erskine and began:

"I rise to reply to the right honorable gentleman (Fox) who spoke last but one. As for the honorable and learned gentleman who spoke last, he did no more than regularly repeat what fell from the gentleman who preceded him, and as regularly weakened what he repeated."

Scarlett evidently fancied that he himself could have succeeded in Parliament, had he thought fit.

I can say myself that though I received many compliments upon my first speech in Parliament, and though I was not conscious of any deficiency of talent for debate, I found it impossible to pursue my profession consistently with the application to Parliamentary subjects which was essential to my pretending to any lead in the House of Commons.

This self-estimate is confirmed by Talfour: "Mr. Scarlett, in the debate on the motion relative to the chancellor's attack on Mr. Abercrombie, showed that he has felt it necessary to bend his mind considerably to the routine of his practice. He was then surprised into his own original nature, and forgetting the measured compass of his long-adopted voice and manner, spoke out in a strong, natural tone, and told daring truths which astonished the House. It is not thus, however, that he wins verdicts and compels the court to grant rules to show cause."†

Lord Brougham states that, on the question of the Duke of York's salary as guardian of the king's person, Scarlett made one of the most powerful speeches ever heard in Parliament upon a merely legal subject. That his subsequent efforts did not sustain the credit won by the first, is attributed by the same high authority "to the great imperfection of his character, the vanity which, it must be admitted, formed not only a feature of his mind, but acted on it as a moving power with more than ordinary force."‡ Lord Brougham instances the debate on the case of Smith, the missionary, when the ques-

* Croly's "Life of George IV." This story, although we suspect over-colored, is adopted without cavil by Earl Stanhope in his "Life of Pitt."

† "On the Profession of the Bar." (The London Magazine for March, 1826.)

tion turned entirely on a multifarious mass of evidence filling a thick blue-book, which he himself, Denman, and Lushington had carefully studied. Scarlett, with his habitual self-complacency, began by saying that he had not looked at the evidence before he entered the House, but that his opinion was clear against the motion. "So that when the season arrived for the reply, the mover (Brougham) observed that he would have believed almost any improbability on his learned friend's bare assertion, but that this strange statement required something more of proof to make it credible; and accordingly that proof had been amply provided by his speech, every part of which showed the strict truth of his assertion that he knew nothing of the evidence."

The autobiography is principally made up of desultory observations and reminiscences. Nearly a third of it consists of sketches and characters of contemporary orators, statesmen, and lawyers: Pitt, Burke, Fox, Sheridan, Grey, Esckine, Romilly, Eldon, Ellenborough, Tenterden, Redesdale, Gibbs, Perceval, Pigot, Plummer. These are carefully drawn, but we cannot say that they either enlarge our knowledge or vivify our impressions. Indeed, it is to be regretted that the time and labor expended on them were not devoted to the completion of the narrative, which is silent as to his public (apart from his forensic) life, and stops short before his promotion to the bench and the peerage. What his son, the accomplished diplomatist, has done towards supplying the deficiency, has been done with discretion and good taste; but he has contributed little beyond extracts from correspondence and other documents, which he has not attempted to work up; and absence from England on public service during most of the time to be covered is no excuse for not furnishing at least a recapitulation of leading events with dates. We do not even learn from this book when, or under what circumstance, his father first entered the House of Commons. It was not in fact till 1818, many years after he was in the fulness of his fame, that a seat was found for him by his party connections, his claims having been successively postponed to those of Brougham, Horner, Denman, and many others. He was then elected for Peterborough, on the nomination of Lord Fitzwilliam, and sat for it till the general election of 1830, when, at the request of his noble patron, he exchanged it for Malton. In 1827 he accepted the attor-

ney-generalship under Canning, with the full approbation of his Whig friends. He resigned it on the death of Canning, but resumed it under the Duke of Wellington in 1830.

The Duke of Wellington had emancipated the Roman Catholics and repealed the Corporation and Test Acts. The Whigs hoped he would go further in reform, and my father, who had always been in favor of a moderate reform bill, entertained a hope that the king's hostility to a reform in Parliament might be overcome, and the duke would get rid of the ultra Tories and fill up the gap with a greater infusion of the Whig element in the Cabinet.

As law officer he exhibited the most determined hostility to the press, and referring to the prosecutions instituted by him on behalf of the government, he writes, January 4, 1830:—

Bagshot Park, Jan. 4, 1830.

You will see all that I know about the libels in the papers, but will not read all I said. My speeches are not agreeable to the press, or entitled to be faithfully and fully retailed. They all join to abuse me, but I know I have done my duty, and am not afraid. The liberty of the press does not consist in the power of publishing slander with impunity any more than the liberty of using your hands implies the power or right to assault your neighbors with impunity. This is a mistake which the gentlemen of the press too often make. The liberty of the press means nothing more than the right to publish without a previous censorship.

According to this definition, the liberty of the press might be co-existent with any amount of high-handed corruption in judges or servility in juries and would in no respect depend upon the administration of the law; although it is matter of history that there have been times during the non-existence of a censorship, when the freedom of comment accorded to journalists little exceeded that enjoyed by Figaro when he started his *Journal Inutile*. Scarlett's hostility to the press was said to be in no slight degree owing to the tone taken by the newspapers on the occasion of a false report of his death in 1824; when the obituary notices, although fair enough on the whole, fell short of his own estimate of his merits.

Speaking of the change of government in 1830, Mr. Scarlett says that "the Whigs would wait no longer for liberal measures and a hoped-for modification of the duke's Cabinet, to which modification he had not assented. Soon after the king's death they united with the Radicals to turn him out, and brought in their famous Reform Bill."

The Whigs could hardly be expected to wait after the duke's declaration against reform, and it was the discontented Tories, headed by Sir Charles Wetherall and Mr. Bankes, that turned the scales against the duke. Scarlett went *out* at the same time, but we suspect he might easily have been persuaded to remain *in*, and he was both angry and disappointed at being so completely overlooked. This, perhaps, had something to do with the line he took in regard to their "famous" bill, to which, in its essential features, he was decidedly opposed. He made a speech against it, which, he says, "was highly praised for its good constitutional arguments, though condemned by the *Times* and the *Radical prints*." This led of course to the resignation of his seat, but, whilst the bill was yet pending, he had offers of seats from Lord Lonsdale and Mr. Alexander Baring, without any pledges as to men or measures. "I hesitated between Baring and Lord Lonsdale, but as the latter required no trouble, and *was a more declared adhesion of party*, I thought it best to close with it." He soon afterwards became a member of the Carlton Club and an uncompromising Tory. How completely he cast his skin may be inferred from a letter to his son, dated Liverpool, August 20, 1835:—

The Whigs grow more unpopular every day out of doors. This town is an example, that almost every decent and respectable man that once supported them has abandoned them. Their only party consists of a few of their ancient orators, and the rabble that were accustomed to follow them. As the party in town live with each other exclusively, they are deceived with a notion that all the world think as they do. You will observe that even some of the very peers created by Lord Grey begin to abandon them; but such is their infatuation that they will not believe in the very small and contemptible minority which supports them, or they are determined to throw still more power into that minority in order that they may be better supported.

This contemptible minority had just regained office and managed to hold it for six years. In the course of the following year Lord Brougham wrote to invite him to Brougham Hall.

You will find me what I fear *you* will regard as very *destructive* in my principles, but always ready to do you the most ample justice (as I ever have been), knowing few men indeed who have made greater sacrifices to their principles.

Lord Brougham must have been both amused and astonished by the reply, in

which, pinned to the letter of his ironical avowal, he is told: "I must say that I am sorry to learn from your note that I am still to rank you as a destructive." Scarlett was supported by the examples of Sir Francis Burdett and Sir Robert Wilson, who operated the same change of front about the same time; yet surely when a man past sixty feels compelled to leave a party of which he has been a conspicuous member from youth, he should not join the opposite party. Separation need not involve tergiversation, and he would best consult his personal comfort as well as his reputation by holding politically aloof from both. There is something positively humiliating in the apprehension Scarlett expressed in a conversation with Lord Holland, of "proscription and exclusion" by his former associates, as well as in the assurance it called forth, that the time might come when the old ties might be partially renewed.

In his reply to Lord Holland, April 24, 1831, he said it was far from his intention to join any party to oppose the government. "It was my determination to have resigned my seat and to have abandoned all public life whenever I found I could not maintain my neutrality." If he had adhered to this determination he would have been made chief baron instead of Lord Lyndhurst, or had he been content to wait, might have been rewarded with the grand object of his ambition, the chief justiceship of the King's Bench, vacated by Lord Tenterden in 1832.* In the same letter, after repeating that he had been pressed to join the Duke of Wellington's government by many of his political friends, "and emphatically by Lord Fitzwilliam and Lord Grey," he continues:—

Nevertheless when the government was changed, I was dismissed from the office, *sans phrase*. I was not desirous of continuing in office. But I freely own that I did expect from a Cabinet composed, with one exception only, of my personal friends, some explanation or some kind words at parting. They could not consider me, after the station I had occupied, and if I am not too vain, in the station I continued to occupy, as a mere hanger-on upon a ministry, subject to the mandate of a treasury note. I declined however to enter into any engagement to oppose the government. On public grounds I was anxious for its permanence and its success. But what was the im-

* "The new attorney and solicitor-general took their offices (in 1830) with a notice that if a vacancy or vacancies in any of the chief judgeships took place within a few months, they were not to be offended if Lord Lyndhurst and Sir James Scarlett were promoted over their heads." — *Brougham*.

pression produced on the members of my own profession when they contemplated the situation of one to whom they had long ascribed the first place amongst them, and of whom it had been their habits to think for twenty years that his unfortunate party attachments alone had kept him from the highest stations? There were two opinions. One that I was most scandalously treated, the other that it was the immediate intention to make some arrangements to remove me from the Bar.

Was he emphatically pressed by his political friends to remain in office after the duke's declaration against reform, or after they had made up their minds to turn out the government? and how can his alleged anxiety for the permanence and success of the new government be reconciled with his hostility to the great measure by which they were to stand or fall, or with his eager preference of a seat from the ultra-Tory, Lord Lonsdale, as a more declared adhesion of party? We never heard it said that he was scandalously treated, because he was not included in the Whig arrangements of 1830, but his position was one which may well have elicited the sympathy of the Bar. It was distressing to see a man of his age and eminence thrown back, divested of official rank, into an arena where (for him) there was no additional honor to be won, where, day after day, with inevitably decreasing vigor, he had to keep the lists against all comers, —

Like to the champion in the fisty ring
Was called on to support his claim or show it.

What he by no means regarded as a compensating or extenuating circumstance, whatever others might think of it, was the rising reputation of his son-in-law, who had gradually become one of the most formidable of his competitors. Lord Campbell, a remarkable man in many ways, was especially famous for turning his great talents and opportunities to the best account, and it was Lord Abinger who said of him, "If Campbell had been bred a dancer, I do not say he would have danced better than Vestris, but he would have got a higher salary."

The elevation of Lord Denman to the chief justiceship was another source of mortification, to which he did not hesitate to give vent; threatening to withdraw altogether from the court of King's Bench, and remarking that it would be singular if he and Lyndhurst (then chief baron) could not between them convert the exchequer into the more effective and attractive tribunal of the two. He remained unapproached and unapproachable

to the end of his career as leader, a period of more than twenty years. This is pronounced by Lord Brougham to be unexampled at the common law, unless in the case of Mr. Garrow. "It is unexampled, because the practice of *nisi prius* requires youthful vigor as well as the other less fleeting qualities. Even Lord Erskine, in less than that period of time, showed plain symptoms, not certainly of decaying faculties, but of declining practice. . . . It is certain that Garrow passed both Erskine and Gibbs." Scarlett's estimate of the man who performed this feat may be useful in exemplifying by what arts or qualities a high professional position may be won: —

Garrow, an eloquent scolder with a fine voice and most distinct articulation, a great flow of words, considerable quickness in catching the meaning of a witness, and great abilities in addressing juries in ordinary cases, without education, without taste, and without law, acquired and maintained a high reputation with the public, but none in the profession. He had a theatrical manner of doing everything, and that which an ordinary junior at the Bar would have done with simplicity, without effort and without applause, Garrow gave importance to by an affected arrangement, an appearance of a difficulty overcome, and withal a certain tone or manner that made the vulgar suppose the thing could not have been done but by the greatest talent and genius. Perhaps there never was an instance of a man whose fame stood at once so high with the public and so low with the Bar. He was not much known in private life, but I believe he was kind-hearted, generous, and humane.

In an action of slander brought by Whittle Harvey against an attorney who had charged him with the fraudulent abstraction of a deed, the defendant pleaded a justification, and Garrow, who led for the defence, pulled out his watch, laid it on the table, and began: "There, gentlemen of the jury, within ten minutes by that watch, I will prove to you that my client has spoken nothing but the plain, simple, and undeniable truth." They found for the defence.

When Garrow was made a baron of the exchequer, that court was described as consisting of a judge (Graham), who was a gentleman and no lawyer: one (Hullock) who was a lawyer and no gentleman: one (Richardson, chief baron) who was both; and one (Garrow) who was neither.

On the formation of the Conservative government in November, 1834, Lord Lyndhurst became lord chancellor, and was succeeded as chief baron by Sir James Scarlett, who was at the same time raised

to the peerage by the title of Lord Abinger. "He had before this event resigned his seat at Cockermouth, and contested successfully the borough of Norwich, for which he sat in Parliament." This is all we hear from Mr. Scarlett touching the change of seats. We are left to guess why his father gave up the quiet borough to encounter the trouble and expense of a contest at a place like Norwich, resulting in an election petition, on the trial of which he was so hard run that he only retained the seat by the casting vote of the chairman of the committee (Lord Eversley). His counsel were Harrison, Thesiger (Lord Chelmsford), and Follett. When all was considered safe, Thesiger left for the Home Circuit, from which he was suddenly summoned, and had to post through the night from Lewes to find the case on the verge of shipwreck from Harrison's mismanagement.* Such a state of things may excuse some impatience and irritability on the part of Sir James; but the current story was that, on this occasion, he supplied in his own person the most striking confirmation of the maxim that a man who is his own lawyer has a fool for his client. By the kindness of Lord Chelmsford we are enabled to give the correct version of the story, which cannot be better told than by him.

"I was Follett's senior, and conducted most of the case; but whether he or I suggested that we could not conduct it if Scarlett remained in the room, I am unable to say: only I know we both agreed that he must be requested to absent himself, on the ground of his presence embarrassing our free action. A curious instance occurred, whilst he was watching us, of the difficulty which the ablest and acutest counsel has to conduct his own case with his accustomed skill. I had been cross-examining one of the witnesses, and when he left the box, Scarlett said to me, 'You omitted the most important question.' 'What was that?' I said, rather nervously, at having exposed myself to the censure. 'Why,' said Scarlett, 'to ask him whether I did not publicly state there must be no bribery.' Now, if I had been his junior and had put such a question without his authority, I should most likely have received a severe rap on the knuckles. 'Don't you think, Sir James,' I said, 'that it was better to leave the idea of bribery out of mind? Might it not be

thought the trick of an old electioneerer?' He acquiesced."

Scarlett says of Lord Ellenborough, as chief justice, that "it was the turn of his mind to set himself in opposition to the advocate who addressed him, and to endeavor to refute him as he went along." This is equally true of himself. He seldom resisted an opportunity of displaying his own skill in advocacy, which was occasionally best shown by refuting the advocate who seemed most worthy of his steel. Once in delivering judgment in a case which had been urged at considerable length, he thus addressed the counsel for the winning side: "The court (his habitual pronunciation) can see nothing in your argument to influence its decision in your favor; but the court has itself discovered the grounds on which its judgment is based." Strange to say, instead of gaining the confidence of juries, he was distrusted by them when, resuming his old manner, he aimed at bringing them round to the desired conclusion from the bench. The professional opinion of his legal knowledge may be inferred from the pun that Scarlett was not *deep-red* (read). But if less at home in text-books or case-law than some of his distinguished colleagues (Parke and Alderson, for example), he was well grounded in principles, and did good service in checking the tendency of some of them to decide with exclusive reference to precedents and technicalities. To him might be addressed as a commendation the words which Junius addressed to Lord Mansfield as a reproach: "Instead of those certain positive rules by which the judgment of a court of law should invariably be determined, you have fondly introduced your own unsettled notions of equity and substantial justice."

It is told of Lord Brougham that, on hearing of his old antagonist's elevation to the peerage, he extended his long, bony fingers, with a menacing gesture, and exclaimed, "Let him only give me a chance, and see if I don't stick my claws into his fat sides." The chance was never given. Lord Abinger cautiously refrained from aiming at distinction as a speaker in the Lords.

"No man," remarked a wealthy but dull barrister in Curran's hearing, "should be admitted to the bar who has not an independent landed property." "May I ask, sir," said Curran, "how many acres make a *wiseacre*?" It is currently reported that Scarlett, in his capacity of benchman, did actually propose a money qualification; and we feel sure that he

* Harrison, who was then at the head of the Parliamentary Bar, could have given only a divided attention to the case; and Follett was also in overflowing practice at the time.

would gladly have revived the ordinance, countersigned by Bacon as lord chancellor, which closed the Inns of Court against all who were not entitled to bear coat-armour. But his high estimate of the importance and dignity of the profession, coupled with the strictest enforcement of the etiquette by which its honor and independence are fenced round, certainly did good upon the whole.

His first wife (*née* Campbell) died in 1829, and in September 1843, being then in his seventy-fourth year, he married the widow of the Rev. H. J. Ridley, an accomplished lady of less than half his age. On hearing of the marriage, Lord Alvanley exclaimed, "Ridley — Mrs. Ridley — why if she's old enough for Scarlett, she must be the widow of the clergyman who was burned."

In the course of the following year, April 26th, 1844, he was suddenly taken ill on the Norfolk Circuit, at Bury St. Edmund's, and died the day following.

In support of his literary claims, or as specimens of his powers of composition, two carefully corrected "Charges to Grand Juries" are reprinted, besides a letter on the character of Mackintosh, on which obviously great pains had been bestowed. The memoir, also, comprises a chapter on the "Moral and Religious Character of his Mind." On this we do not think it necessary to dwell. His forensic career is his real title to distinction, and, so long as the English Bar endures, he will be remembered as the advocate who carried advocacy, mere advocacy, to the highest point of perfection to which it can well be carried as an art.

From Chambers' Journal.
THE DUKE'S PIPER:

A STORY OF THE WEST HIGHLANDS.

CHAPTER I.

It was an unfortunate business — most unfortunate; for the duke's piper and the duke's gamekeeper were the best of friends; they never met at the Glengolly clachan but they had their "glass" together; nay, when friends met, such as they — and it was astonishing how often accident led the steps of both men to the smoky chimney-check of Betty MacDonald's clachan — the glass had to pass to and fro pretty often before the men parted. And as Betty knew full well that John

Cameron the piper, and Donald MacTavish the gamekeeper, her best customers all the year round, were critics upon whom no adulterated or diluted fluid could impose, Betty was careful that to them at least nothing but the best of whisky and stoup-measures — erring, if they erred at all, on the roomy side — should be served. The natural result of such companionship and mutual consumption of frequent gills was that John loved Donald "like a vera brither;" while Donald frequently assured John, as they stumbled over the moor together in the gloaming, or more often when the horned moon was high, that not one of his own eight brothers was to be mentioned in the same breath with John — as regarded his, the gamekeeper's, emotions towards him.

What then were Betty's feelings, late one unlucky autumn evening on her return from the byre, where she had gone to milk her solitary cow, to find the two friends in the midst of a hot argument, loud-mouthed both, and looking at each other across the table, on which stood the almost empty measure and glasses, with expressions on their honest, gnarled faces that could hardly by any interpretation be termed mild? And this before a third guest too, a hairy-visaged gentleman whom Betty reckoned half-daft, seeing that he had spent the last three weeks "splashin' a bit o' auld canvas wi' paint, and ca'ed it Ben Sluaigh," but to whom it nevertheless behoved her to be polite, taking into account the liberal rent he paid for her best room. The gentleman sat in his chair with a tumbler of whisky-and-water before him, taking little part in the discussion, but smoking diligently with a broad grin, as Betty noted indignantly as she went "ben" with her knitting, sorry to hear the voices of the disputants waxing louder and louder. Betty had a feminine dislike of argument; arguments in the clachan were generally the prelude to blows. Her idea of a "good crack" admitted only of varying shades, not differences of opinion, softened by frequent application to the bottle — a good story being not one whit the less welcome because oft-told. But here were John and Donald glaring at each other with knit brows, and John, who could never brook contradiction, bringing his massive fist down on the table so that the stoup-measure and glasses swayed.

"Ye're wrang, Tonal, I tell ye again ye're wrang — it *wass* biled!"

The gamekeeper, thus addressed, only shook his bald head slowly from side to

side, remarking after a pause, with a smile of superior knowledge that seemed to fan the flame of his friend's anger: "Na, John, na: it iss nefer biled."

"But it *iss* biled, and iss aye biled, I'm telling ye, and biled in sweet milk too.—I'm not like some folk, sir," said the piper, turning to address the stranger in the armchair, "that talk a lot o' nonsense apoot what they ken naething apoot."

"Whether his oil-cake was boiled or not boiled," said the stranger, "the bull iss as fine an animal as I have seen in the Highlands; though I was not sorry, as I sketched him, to have the stream and a good steep bank between us."

"Noo, John, you are trying to impose on the ignorance o' the shentleman; that iss what ye are trying to do, John, and that iss no like ye. It iss verra pad to let the English shentleman go away, and it iss savages that he'll pe thinkin' we are in the Hielants, to pe feeding oor young bulls" (pronounced bills) "wi biled oil-cake, as if oor young bulls needet oil-cake when they hef cood green grass and plenty; or allooin' they do need it, to hef it biled, and them wi' teeth that if they wanted wad crack whinstanes. Oh, but it iss a fine joke to hear ye talk o' biled oil-cake, John Cameron!"

"I'm telling ye ye're wrang," said the piper hotly; "and it iss nonsense ye're talking apoot, Tonald MacTavish!—Though, sir," again appealing to the stranger's intelligence, "it iss not muckle that a gamekeeper can ken apoot the rearing o' young bulls; they can tell a grouse from a partridge in a stubble-field on a dark nicht, I'll alloo that," in a tone implying that he conceded the utmost; "but the rearing o' young bulls iss oot o' their line; and for a man that has nefer been oot o' his ain county from the tay he wass born till the tay o' his death, to teach anither man wha has been roond the whole world moreofer wi' his Grace the teuk — to tell *him* apoot savages!"

"I alloo," interrupted Donald with a friendly wave of the hand, having filled and emptied a glass while John was speaking—"I alloo that there iss no petter piper in the county, no, nor in the whole Hielants moreofer, than yoursel', John Cameron; and it iss the teuk himself I hef heard say as muckle many's the time that; and prood I hef been to hear it; and I hope it iss to this shentleman and me that ye will pe giving a tune afore we pairt the nicht; but I canna alloo that ye are petter acquaint wi' the subject on hand. And ye can ask Sandy the deuk's griev-

yoursel' apoot it, and he wass in the byre when the bull was calfed, and he will —"

"Teffle a tune ye'll get from me this nicht; and it iss a obstinate mule ye are, Tonald MacTavish, and always wass; and as for Sandy MacIntyre, the teuk's grievie, it iss all the parish that kens him for a foolish ignorant liar!"

The two men pushed their respective chairs a foot or so farther apart, and looked at each other in no amiable mood. John the piper was a tall thin Celt with fiery eyes, that flamed out from a mass of tangled hair as brown as heather, covering a low square brow; he was of a much more inflammable temperament than his friend, whose high cheek-bones, wide surly mouth, and cheeks that seemed to have gathered black forests of hair at the expense of his crown, which was of the shiny bald order, indicated a vein of Saxon blood in some progenitor, although his accent and fluency in Gaelic proved that he was a native of the west. Under the chair of the piper, Fingal, the piper's collic, almost as excitable as his master, lay asleep; and in a corner by the gamekeeper's gun, Jet, Donald's placid pointer, lay stretched at full length. Betty laid down her knitting in some trepidation when the argument reached this point, and came in to see if she could not pour oil on the troubled waters. She found the piper on his feet with his bagpipes under his arm, evidently much offended, looking about in the dark for his bonnet.

"It iss anither gless o' whusky ye'll pe taking now, Mr. Cameron, before ye tak' the road this could nicht?"

"And it iss verra pad whusky ye hef been giving us the nicht, Mrs. MacTonal, enuech to tak' the temper away from any man," said the piper in his severest tones.

"And ye are quite richt there, Mr. Cameron," said Betty timidly, willing to appease her guest at the expense of her own reputation; "and it iss myself that iss glad ye mentioned it, for I had to offer ye some o' the Cawm'lton-still the nicht, cass the gentry when they wass on the moor yesterday shooting took every drop o' the rale heather-water away in their flasks, and left no a drop wi' me. But I'm sure, Mr. Cameron, ye'll no pe so angry wi' me as that comes to as to go away angry like that."

"The whusky iss cood enuech, if taken wi' a thankful spirit, Mrs. MacTonal," said Mr. MacTavish. "But when a man iss prood and stuck-up cass he has travellat at the heels o' his betters — but the teuk's

dog has done as muckle — while his own neighbors have bided at home, he thinks maybe that naepody kens the tifference atween a reel and a hornpipe but himself ! Gif me another gless, Mrs. MacTonal. Cood-nicht, John ; I drink to your petter manners."

John was at the door, having found his bonnet, but came back to say, shaking his fist in Donald's face : " It iss an ignorant prute ye are, Tonal MacTavish, and I scorn to pit my fingers upon ye ; but nae doot ye'll want me to bring my pipes to the clachan anither nicht ; and nae doot your son Angus will pe wanting me to learn him to play the pipes too ; and nae doot, when he comes for that purpose, he will look to have his crack wi' Maggie ! Ye will live, Tonal, my man, to ken it wass an ill nicht when ye thocht fit to drink to *my* petter manners ! "

With which flourish, wound up by an emphatic and defiant snap of the piper's fore-finger and thumb in close proximity to the nose of the calmer gamekeeper, the piper marched with what dignity he could muster, seeing that he carried half a pint of fierce whiskey beneath his belt, from the clachan to the pathway across the moor, homewards ; and so absorbed was he in cherishing his anger, that he would not indulge himself on his solitary way with one of his favorite Jacobite lilt, lest the sound of the pipes might charm away his wrath. And his collie Fingal followed sadly at his heels.

The gamekeeper sat for only a short time after his friend was gone ; he gave utterance to a low, hard laugh as the piper disappeared, and then relapsed into sulky silence. Presently he said, rising to leave : " I'd petter pay ye for my share o' the whusky, Mrs. MacTonal. "

" Na ; that can remain. Ye will pe here the day after to-morrow or so, I dare say, to make it up. "

" Take the money, " said Mr. MacTavish firmly ; " he will beg my pardon pefore I drink another drop in his company. "

" A bad job ! " said poor Betty, with tears in her eyes, as she slowly counted out to him the change.

On the afternoon of the same day, Maggie Cameron the piper's daughter was in her father's dairy busily at work. The piper's cottage and small farm-stead stood white and solitary at the mouth of Glen Heath, barely half a mile from Inversnow. The score of sheep that strayed about the glen with the red mark J. C. branded on their woolly sides belonged to

the piper ; so also did the three or four cows that stood cooling their feet in the heat of the day, in the peat-brown burn that coursed through the heart of the glen past the piper's fields and garden, to the loch. He was in a moderate way a prosperous man, and after the manner of men conscious of a bigger balance than their neighbors at the local bank, he thought he had a right to dogmatize on occasions. Folks who knew the piper knew that whoever ultimately was lucky enough to win the hand of his only daughter Maggie, would not take her dowerless ; and that the dower would be something by no means to be sneezed at, was evident when the Inversnow intellect began to reckon on its finger-ends the various sources of the piper's income. There was first and foremost the farm ; the piper's crops were ever the earliest and the heaviest ; his mutton was always prime, and the piper knew well when and to what market to send. Nor on the duke's whole estate were better turnips grown. Then what milk was to be compared to that which came from the piper's byre ; and as for the piper's butter — churned by Maggie's own pretty hands — why, better butter was not to be had in or out of the parish for love or money. Besides which, the piper's white cottage, built on the slope facing the loch on one side and looking towards the glen on the other, within a few minutes' walk of the best scenery, the best shooting, and the best fishing in south-western Scotland, fetched — well, Inversnow did not know how much per month. Let to the " gentry " during spring, summer, and autumn of every year, it was in itself another tap of gold flowing into the piper's pockets.

For several months in each year the duke entertained guests at Inversnow Castle ; and it was the piper's duty, as it was his pleasure, to march daily (Sundays excepted, and he grudged Sundays) for two hours to and fro in the hall of the castle while the duke and his guests dined, the sonorous bagpipes discoursing appetizing and digestatory music ; and he was indeed a mean or thoughtless guest who departed without remembering the piper in some shape tangible to the piper. Dearly he loved his money. Nor was he a man likely to let money readily slip from his grasp when he once fingered it, and no man in Inversnow was more fertile in resources for adding to his store. But dearly as he loved gold, dearly as he loved his sheep, his cattle and horses, his dram and his bagpipes, his one primary treasure was his

winsome daughter Maggie. Rough he might be, but beneath the hard shell was a true human heart that beat warmly and tenderly towards her.

Maggie stood, as has been said, busily at work on the clean paved floor of the dairy, her burnished milk-pans, full of creamy richness, arranged on shelves along the walls. The dairy was cool and shady, and the sweet fragrance of the fresh milk mingled sweetly with odor of late honeysuckles and fuchsias clambering in at the window. Between the leaves of honeysuckle there was to be seen from the window, far off across the sloping fields, a peep of the loch, the blue sky, and the heather-clad hills in the distance. The door was open, and the afternoon light fell upon no more pleasant sight than the bright shapely Highland lassie, whose sleeves were tucked up to the elbow, her dress pinned behind, while her hands were deftly shaping butter with the aid of a pair of wooden "clatters" into tempting rounded pats, each pat being dropped, by a quick graceful turn of her skilful hands, into a dish of clear spring water beside her. Maggie hummed in a sweet low treble as she worked an old Gaelic air that had a touch of melancholy in it, her sole audience the piper's monstrous bull-dog, that lay all her length in the sunshine asleep on the threshold. Presently the formidable-looking animal raised her head, pricked her ears, and growled; then, at the sound of footsteps, rose and bounded down the path; and Maggie, as she paused in singing, heard a well-known voice cry: "Down, Diana; down, I tell ye; keep down!" The Highland girl went on with her work, with perhaps a tinge of crimson shewing through the sun-browned face, while a man's voice rang out "Maggie!" from the kitchen door, and then the steps turned to the open dairy door.

"Well, Angus," Maggie said in a tone of surprise that was hardly meant to be taken as real; "and iss it you again? I thought you said yesterday that the yacht was going to meet some of the castle-folks at Sheepfell?"

"The teuk changed his mind, or had a telegram or something. But are ye not glad to see me, Maggie, that ye won't shake hands wi' a body?"

"Deed and I am fery glad to see yourself, Angus, and well ye ken that; but my hands are wet wi' the watter and the butter; and indeed ye must excuse me."

"But it iss a cold greeting to gif a body, that iss what it iss, no to shake a hand, Maggie," said Angus; "or maybe," pluck-

ing up courage from the laughter in Maggie's eyes and the pose of Maggie's cheek, "maybe *that* iss what you wanted!" And Angus boldly bestowed a kiss upon the girl's cheek.

"Oh, Angus MacTavish, and how could ye do the like o' that, when ye see I could not protect myself wi' my hands among the butter?"

"Then gif it to me back again, as the song says," said Angus, taking his own again, before Maggie could make any show of resistance.

"But it iss a wild fellow ye are, and no deserving this drink o' new-drawn warm milk I am going to give ye!"

Maggie wiped her hands in the long white apron she wore, and turned to fill a tumbler full of milk from one of the pans.

"Well, Maggie Cameron, it iss maybe more than I deserve," said Angus, as he took the tumbler from her hand and raised it to his mouth; "but here iss to your fery good health, Maggie!"

"I believe ye would rather it had been a dram," said the girl, as she watched the milk swiftly disappear down the young sailor's throat. But Angus declared that in saying so she libelled him.

"And now, Maggie, ye must put on your hat and come with me," said Angus seriously, when he had emptied the tumbler.

"Go with you, Angus! You're joking. Wass it not for your lesson on the pipes ye came? But dad iss not at home this afternoon — he went the clachan-way with your father — but he will be disappointed to hef missed you."

"I want you to come to the shore with me, Maggie; I have something to show you, and I will take no denial for this once."

"To show me, Angus? But dad might not be pleased, if he came home when I wass out, to find I wass away trifling with you on the shore."

"I will answer for that, Maggie Cameron."

"Well, it iss true my churning is over, and the baking o' the scones can be done when I get back, but —" The maiden hesitated.

"But there" — and Angus lifted the dish of butter-pats and marched off with them, followed by Maggie, to the kitchen. "Now put on your hat and come with me."

While Maggie went to her room, Angus turned the key in the dairy-door, and hung it on a nail in the kitchen; and leaving Janet the maid to bring in the cattle and

milk them, the couple started on their expedition with light hearts.

They were a winsome couple, and Janet—a goodly lass herself—stood admiring them from the doorstep, not without certain longings on her own account, as they walked along the pathway that skirted the meadow, to the bridge at the gate; and from thence over the stile and across a field, towards the loch. Margaret Cameron was a tall, well-built girl, yet her head was just on a level with her companion's shoulder. Her face was fresh and sunny, light and shadow playing on it in quick responsive movement to the mental mood that happened to rule her. She was young, not yet out of her teens, full of youthful impulse, that expressed itself in frequent peals of merry laughter easily roused; with a tender heart too, as the sweet blue eyes told, by the quick rush of tears when she was moved by any tale of woe, or touched by the chill finger of disappointment. Angus was a broad-shouldered six-foot sailor, stooping slightly as he walked, with a bronzed cheery face, and the kindest of honest eyes, that looked you straight in the face fearlessly. He had been for many years one of the most trustworthy "hands" on board the duke's yacht, the Curlew, and was looked up to by the fishing-folks of Inversnow with all the respect due to a favourite of the chief's, and to one whose ideas had been expanded by frequent visits to the Mediterranean.

"Where are we going?" asked the girl by-and-by, as Angus struck into a road leading to the town. "It iss nefer into Inversnow we are going like this together!"

"And are ye ashamed to be seen walking with me, Maggie Cameron?"

"Ashamed? No! But it iss not well to be having folk talking idle gossip apoot us in the daytime, when maybe I ought to be at home working." Maggie was made the more jealous of her reputation as a good housekeeper, by receiving a surprised nod at that moment from Mr. M'Alister the grocer, who stood lazily on the doorstep of his shop.

"Nefer mind what folk say, Maggie. This iss the way;" and Angus turned off the main street to the pier.

"Eh, Angus, what a pretty little poat—what a fery pretty poat!" said Maggie as they reached the end of the pier and looked down on a tiny boat resting placidly on the loch.

"And ye think her a pretty poat now, do ye, Maggie?" looking proudly from

his achievement to his companion's interested face.

"I nefer saw anything prettier. She sits on the water like a sea-gull," replied the girl warmly.

"And you can read her name on the stern now, can't you, Maggie—eh?"

The maid looked down fixedly and, as she looked, changed color. Angus was watching her with beaming eyes. Painted in distinct blue letters on an oak ground were the words, "MAGGIE CAMERON—INVERSNOW."

CHAPTER II.

"Oh, Angus!" Maggie held out her hand to him on the pier, and he held it as in a vice. "It iss your own poat, then, Angus?"

"No; she iss not," said Angus.

"No?"

"No! She iss yours, Maggie! I built her for ye—every inch of her grew under my own hand—and she's no a pad poat at all, though it iss me that says it—"

"Well, Angus—"

"Don't say another word, but go aboard," said Angus, proceeding down the steep slippery steps to the loch, leading Maggie gallantly by the hand. Speedily the rope was unloosed, the white sail spread to the breeze, and the boat moved gracefully and rapidly, under a glorious sunset sky, out into the loch. Maggie sat holding the tiller silently while Angus adjusted the ropes. The loch was radiant from shore to shore in the rich evening light; quickly the white houses of the town were left in the distance; and hardly a movement but the delicious ripple of water cleft by the boat's bow, or the cry of a sea-gull sailing lazily overhead, disturbed the stillness. Here and there in the pools among the boulders in lonely parts of the shore, a heron stood silent as its own shadow and solitary as a hermit; from the grassy hollows by the beach a thin white mist rose, softening the green wooded slopes, and adding a sense of distance to the heathery ridges in the background, glorified by the red autumn sunset. Maggie was supremely happy. When the sail was fairly set, Angus came and stretched himself by her side.

"And ye think she iss a nice poat, and ye like her?" he said, looking into Maggie's face.

"It was fery kind of ye to think of giving me such a present as this, Angus; but I cannot possibly take it."

"Maggie," said Angus, taking her dis-

engaged hand in his, "I hef long wanted to tell you something — indeed I hef, Maggie — not that I'm a goot hand at telling anything I want, but — all the time I wass building her, and that wass longer than ye might think, Maggie — I hef looked to this moment as a reward — when I would see you sitting there, looking that happy and that peautiful — yes, Maggie, peautiful, and pleased with my work — and proud am I to see ye so pleased wi' a trifle —"

"But it iss *not* a trifle," said the maiden interrupting him; "it wass a great undertaking! I nefer saw anything I liked half so much."

"But it iss nothing, I tell you, Maggie, to what I would gif you if you would be willing to take it — nothing! I would like you, Maggie, to take all I hef — and myself too. It iss true I am only a common sailor, but, Maggie, my heart is fery warm to you. Many's the time, when I wass a hundred and maybe thousands of miles away from here, I wad pe thinking of you — many a time in the middle of the night, when I wass on the deck alone, watching and looking at the stars under a foreign sky, I would single out a particular star and call it Maggie's eye, and watch it lovingly, cass I thoct you might pe looking at it too, even if you wass not thinking of me thousands of miles off; and it makes me fery unhappy when I'm a long way off, to think that maybe I am forgotten, and some other man iss trying to get your love, and maybe I losing my chance of happiness for life, cass, like a fool, I held my peace, when by speaking a word my happiness and yours might pe secure."

Angus's arm had stolen round the girl's waist as he proceeded in the speech that wass a direct outflow from his heart. She did not try to speak for a little. Angus saw that her eyes were filled with tears.

"It wass wrong of ye, Angus, efer to think I would forget ye," she said.

"Then ye do think sometimes apoot me when I am not near you?"

"Angus, how can you pe speaking nonsense like that!"

"But it iss not nonsense to me, Maggie," said her lover seriously; "I love you, Maggie, as I love no woman in the world; and, Maggie, if you were to — to — it wad break my —"

It wass the old story. Two human souls meeting under the light of heaven, each recognizing in the other that which each yearned for, to give completeness to life; the spoken word being the outward force impelling them towards each other, as two

dewdrops merge into one by a movement external to both. The Highland girl had no desire to break her lover's heart; nay, she wass ready to give her own in exchange for his love with all the impulsiveness of a simple and true nature. As the boat sped on they noted not that twilight wass deepening into evening, that the stars were myriad-eyed above them, and the crescent moon glimmered over the hills and shone in quivering tracks along the loch. So it came about that at the same moment of time when the piper in the clachan wass apostrophizing Angus's father in the words already recorded — "Nae doot your son Angus will pe wanting me to learn him to play the pipes toc; and nae doot, when he comes for that purpose, he will look to have his crack wi' Maggie," etc. — his daughter's arms were being thrown impulsively about Angus's neck, and Angus himself wass the happiest man in the Western Highlands.

Maggie reached Glen Heath with a joyous heart. She wass there before the piper. She speedily girt on her apron, and with tucked-up sleeves proceeded to the more prosaic duty of baking "scones" that might be warm and palatable for the piper's supper; and as she rolled out the dough, and patted and rolled and kneaded it, and turned it before the fire until an appetizing browniness covered each surface, she sang merrily one of the merriest of the sad Gaelic melodies.

But the piper wass late. The white cloth wass spread, and the scones had time to cool, before Diana, leaping to her feet, stretched herself, yawned, and went to the door sniffing. Maggie opened the door immediately; the piper swung along the path unsteadily. The dog went to meet him without enthusiasm, half-doubtful of her reception, and only narrowly escaped the kick which the piper aimed at her.

"Get out, ye prute!" he said, as he came in; and when the animal still came fawning towards him, he hurled his bagpipes with great force at her head, only with the result, however, of breaking the pipe's mouthpiece. "O the prute!" he cried when he saw what had happened; "she has proken my favorite shanter — the shanter that I've played wi' for fifteen years. O the prute! I'll cut her throat, to teach her to keep oot o' my way. My best shanter too!"

"Come, dad, you are late," said Maggie cheerily, going to meet him; "you hef had a long walk. I hef boiled some eggs for ye, and baked some scones; come, hef some supper before ye go to bed."

"Ay, ay, ye are a praw lass, Maggie, one o' the right sort," the piper said. "But to think my poor shanter's broken. I will nefer see her like again whatefer!"

The piper sat down to supper with an enormous appetite, and Maggie waited upon him devotedly, uncertain whether she should reveal her secret or not in the present dubious state of her father's temper.

"Anypody peen here for me the day?" he asked between mouthfuls.

"Yes, Angus MacTavish wass here in the afternoon; and he —"

The piper laid down his knife, looked straight in his daughter's face with a fierceness that startled her, saying: "Hang Angus MacTavish and efery man i' their black clan! A MacTavish nefer darkens my threshold again! If Angus MacTavish efer comes to my house he will live to rue it. I *hate* efery living MacTavish!"

Maggie looked in her father's face amazed. To violent language she was well accustomed; but sober or otherwise, she had never heard him utter a word against the MacTavishes until now.

"Come, dad," she said after a short silence, during which time she decided it would be better to say nothing of what was uppermost in her mind until morning — "come, dad; something has vexed you to-night. You will be petter in the morning. Angus iss the best friend either you or I hef in the wide world."

"I tell you," burst out the piper, "I will not hef his name mentioned in my hoose, not by you or any other! And if you go apoot with him, Meg, as I hef seen ye do lately, I'll — I'll maybe pack you out of doors too!"

The tears were in poor Maggie's eyes, but she comforted herself as she put up the bolt in the door for the night, by assuring herself, as she heard the piper stumbling up-stairs to his room: "Poor dad, he iss worse than usual to-night." And when she slept, she dreamed of Angus.

CHAPTER III.

THE piper's anger seemed to be modified on the following morning; but he still growled when his daughter introduced the name MacTavish as he sat before a steaming bowl of porridge and a basin of milk, which he attacked with a large horn spoon and an appetite comparable only to the giant's who fell a victim to the adroitness of Jack the celebrated giant-killer. Maggie's enthusiastic account of Angus's

gift of the boat was received with a critical coldness that made her heart sink within her.

"O ay, Maggie; it iss no doot a pnautiful poat — she wass sure to pe that if Angus built her; but it iss very easy to see what Angus MacTavish iss driving at. Maybe he'll find he has peen counting without his host mirofer, if he thinks he iss going to get you for his wife by gifting you a fishing-poat; what was a fishing-poat to a lass like you? — as if ye wass a poor lass! Ye've no to pe fashing your head apoot Angus MacTavish, lass — no; he iss no doot a cood lad, but no for the like o' you! There iss Sandy Buchanan noo, the lawyer's clerk mirofer, a far more likely lad to make ye a cood man, and willing?"

"O dad, and how can ye pe saying such things to me on the happiest day o' my life, for Angus asked me yesterday to be his wife; and I — I —"

"Ye what?" said the piper, laying down his spoon and eyeing his daughter sternly.

"Weel, dad, I — I — didna say no."

"Then I'm thinking ye'll hef to go this fery day whatefer and say 'No,' my lass, for I'm telling ye I won't hef it!"

Maggie was not generally one of the tearful sort, but the sudden emphasis of her father's words filled her eyes with tears and drove her to silence. She did not trust herself to speak, but lifted her pail hurriedly with a flushed face, and went sorrowfully to milk the "kye," whose deep impatient lowing from the byre was urgently demanding attention. When she was half across the courtyard she heard her father calling her back. She turned and went to him.

"Maggie," he said, drawing her to his knee and holding her brown face between his rough hands tenderly, "it iss not crying ye are, my bonny lass? No; I wad not hef my lass crying for any MacTavish that efer drank a dram! Not that Angus iss a pad lad — no, I will not say he iss that — he plays the pipes petter than any lad of his years I efer saw — but the MacTavishes — Ah weel, they're no jist the clan that the Camerons should marry into. Noo, dry your eyes, lass, and pe off to your milking mirofer — Crumple iss moaning as if her udder wass going to crack."

The maiden said nothing; she kissed him, but the smile was all vanished from her face as she stooped to relieve Crumple of her milky burden.

The piper went to the stable, and the sound of his whistling rang over the place

as he brushed down his horses and gave them their morning feed.

Maggie was in strong hopes, as the morning advanced, that before nightfall, when she expected Angus to come, the tempest would be over, and Angus hailed by her father in his old manner. This hope was dispelled, and poor Maggie made miserable beyond bearing when her father returned to his middy meal. The piper had early in the forenoon taken his fishing-rod and gone to a favorite spot of his known as "the Black Hole," on the stream, where he had wiled away many an hour and tempted to the bank many a spotted trout. When he returned to dinner, his daughter saw with surprise that he brought no fish with him, and that his fishing-rod was broken into half-a-dozen pieces; and moreover, that he was white with anger. Fingal his collie was following with dejected tail and a torn ear, apparently in as bad a temper as his master, judging from the snarling greeting he gave Diana who went to meet them.

"Py the powers, but I'll put the law on him; I'll hef him put in the jail," cried the piper, as he went into his kitchen and tossed the fragments of his fishing-rod into a corner. "The plaguard, to preak my fishing-rod and steal my fish mirofer; but I'll hef the law on him! He shall go pefore the shirra as sure as my name iss John Cameron!"

Maggie did not know that Mr. MacTavish was at the same moment on his way home with a swollen black eye, carrying with him a goodly fish that ought to have been in the piper's basket, "Jet" limping behind his master very much bruised indeed.

"And it iss the teuk that wull pe told all apoot it; the prood teflle, poaching the salmon like a common thief, and knocking a man apoot as if he wass a lower animal," said the gamekeeper, recording *his* grievance indignantly to his buxom wife, in answer to sympathetic ejaculations as to the state of his eye when he returned to his dinner.

True to his word, the piper sent the herd-boy to the lawyer's office to tell Sandy Buchanan, with the piper's compliments, etc., that Mr. Cameron desired to see him at Glen Heath on important business.

"Well, dad," Maggie had said impetuously when she heard this message given to "Geordy," as they sat at dinner, hardly understanding from what motive her father sought the presence of the detested Sandy

Buchanan, "I can only say that I shall not bide in the hoose if that red-headed, ill-looking man comes to the hoose; I won't inteed!"

"Ye are red-headed yourself!" said the piper abruptly.

"No; I'm not."

"Yes, ye are. The man canna help himself if the Almichty gef him a red head. The best o' folks iss red-headed. I'm red-headed; and ye are red as a fox or a squirrel yourself, I tell ye —"

"Well, well, dad, we'll no quarrel apoot that; maybe I am; but —"

"I tell ye what it iss, Maggie, ye will bide at home when Mr. Buchanan comes, and ye'll pehave yourself civilly, or maybe it may pe worse for ye. Angus MacTavish hass turned your head; but he'll get a bit o' my mind mirofer yet, as his father hass pefore him mirofer, and that pefore the set o' sun too!"

"O dad, dad! ye'll break my heart, so ye will, inteed and inteed ye will, dad, if it iss in that way ye speak o' Angus."

"I'll not hef him come apoot my hoose longer! He iss a wanderin' rake; efery sailor iss that, and no fit to make a cood husband to the like o' you."

"He iss not a rake! Ye are no speaking the words of truth, father!" exclaimed the girl passionately.

"Efery sailor iss a rake, Maggie; efery-pody knows that; and I daresay he iss none better than his neibors."

Stung by the cruel words, Maggie ran to the dairy, where she shut herself in and burst into a flood of tears. The Highland maid had few hatreds; she had the impulsive almost passionate temperament of every true Celt, but her impulsiveness ran in loving channels. But if she did hate, she hated warmly — also after the Celtic manner. And the one living object for whom she felt undying scorn was this Sandy Buchanan, who knew more of her father's affairs than any man in Inversnow: and whose studied civility to her on all occasions, and attentions more or less marked, were resented by her as she would have resented another man's insults. Perhaps he was all the more despised because he kept at a respectful distance when Angus was at home; a peculiarity that Maggie attributed to a certain dread of physical consequences, that was not to be wondered at in a weak-legged milksop fellow like him. But whenever the duke's yacht was away, Mr. Sandy danced attendance upon her assiduously, insisting upon seeing her safely home from the kirk on Sunday evenings, and otherwise thrusting his obnox-

ious presence upon her in ways which she considered offensive.

And sure enough, just as the sun was veering round to the west, the piper was seated at the table of his best parlor with a bottle of whiskey and glasses, and a plate of Maggie's crisp oatmeal bannocks between him and the detested Sandy Buchanan, whose breath blew forth gales of peppermint—an odor that Maggie always associated with him, and put the worst construction upon—as he listened patiently to the rather confused statement of the piper's grievance. Sandy tried honestly to look at the case from the piper's standpoint; but put in any form, it appeared that if any legal action was to be taken the decision could hardly take the only form which would satisfy the irate piper—namely the immediate arrest, trial, conviction, and imprisonment of Mr. MacTavish for an undefined number of months in the county jail. Sandy gathered that the piper had succeeded in hooking a "cood seven-pound grilse;" that while he was landing the same, Mr. MacTavish appeared on the scene threatening to report him to the duke for poaching; words passed between them, not of a complimentary nature, ending ultimately in one of two catastrophes—the piper could not clearly remember which—either the gamekeeper had seized the piper's rod with result of breaking it to pieces, or the piper had broken his fishing-rod over the gamekeeper's back; and then a struggle had ensued, the upshot of which was that the latter walked off with the "grilse" and a black eye, while the former did the like with his shattered fishing-rod and empty basket, each vowing to lay the matter before "the shirra."

The sheriff, as represented by Sandy Buchanan the fiscal's clerk, thought, much to the delight of the piper, that he had good ground for an action for assault against Mr. MacTavish; and presently father and daughter (poor Maggie was compelled to remain in the room to hear the brutal manner in which he, a Cameron, had been treated by a MacTavish) were thrown into a state of mental confusion by the adroit manner in which Sandy now addressed the piper as "our client," now as "the plaintiff," both of which phrases the piper received and acknowledged in the light of a personal compliment, and also by liberal but not very coherent allusion to Act of Queen Victoria this, and chapter of Act Queen Victoria that; all tending to prove the piper the most abused and injured of men.

In the midst of the conference Angus MacTavish appeared at the door. He indiscreetly opened it and looked in without knocking. The piper, who was feeling at the moment keenly alive to his own importance, with the delightful sense that he had matter to bring before the "shirra" (as he called the sheriff), looked up and frowned, fingering his glass of whisky the while.

"What idiot iss it that walks into a shentleman's hoose without knocking at the door, and without waiting to be asked to come in?"

"Come, piper," said Angus, walking boldly into the room, somewhat surprised to see Buchanan there, but holding an outstretched hand to the piper; "it iss not the first, nor the second, nor maybe the twentieth time I hef hed your hospitality, and I am thinking it will not pe the last time—and that without claiming it."

"My name is Maister Cameron—Maister Cameron of Glen Heath, Maister Angus MacTavish! And apoot its peing the last time or not depends upon more consiterations than one!" The piper spoke with a sternness and pomposity of manner that made his visitor allow his hand to drop quickly to his side, and brought an indignant flush to the young face.

"What does it all mean?" said Angus in a bewildered way, turning to Maggie.

Maggie stood behind her father's chair the personification of misery. The man of law sat looking stolidly before him with the most wooden of expressions on his pale face.

"It means," said the piper in the same harsh sharp key, "that *that* is the door, that yonder is the road, that the quicker ye are there the petter it will pe for you, and the petter pleased too will all in this room pe."

"Iss that it?" said Angus slowly, looking still at Maggie, and turning again towards the door.

"No, Angus, no! It iss not true that all in this room will pe petter pleased that ye should go. It iss not true!" burst out the girl in the fulness of her heart.

"But it *shall* pe true!" shouted the piper, bringing his hand firmly down upon the table. Angus did not stay to argue the matter, but sorrowfully went his way.

"Stop that whining, Maggie—stop that foolish whining; I will not hef it!" said the piper, turning upon his daughter fiercely, who tried in vain to repress a sob as Angus disappeared.

"O Sandy Buchanan, it is muckle that

ye'll hef to answer for, if ye'll make me that I'll hate my own father too," said the poor girl, storming out into open mutiny.

"Leave the room, Maggie!" cried the piper, waving his hand. The maiden gladly availed herself of her dismissal, and fled to the solitude of her own room. "Cott has not gifen to women the brains to understand business," he continued, generalizing apologetically to his guest.

A week passed and the piper's wrath against the clan MacTavish endured. The feud was not one-sided. Mr. MacTavish replied to a letter full of nothing, expressed in the bitterest legal phraseology, written by Sandy Buchanan on the piper's behalf, by a document of elaborate counter-charges, written by the banker-lawyer of the town, breathing threatenings and lawsuits. And the case promised to be profitable to both of these astute gentlemen, as such cases generally manage to be.

CHAPTER IV.

FOR a week Maggie saw nothing and heard nothing of Angus. She became quite pale and worn with anxiety and distress. She hardly spoke to her father; and Janet reported that she was sure "the mistress" was going into "a decline," because she hardly touched her food. To make matters worse, a letter came one day from her lover to say that he too was so miserable that he could bear it no longer; he was going to leave the duke's yacht and go away—never more to return to Inversnow. Maggie was driven to the brink of despair by this letter—almost the only letter she had ever received in her life—and she forthwith wore it with the lock of his hair she had long treasured, next to her heart.

One afternoon a message came from the kitchen of the castle to ask the piper if he could oblige the cook with a dozen or so new-laid eggs, the cook's store having run short. Maggie took her basket, and went with the eggs to the castle kitchen. She went with a sad, heavy heart, and remained as short a time as possible, for her little romance with Angus and its sudden collapse were well known among the servants, and, as she knew, discussed. Inversnow Castle stands in the midst of its own lovely park, close by the sea-loch, and girt about by wooded and heather-mantled hills. It was a warm, sunny afternoon as Maggie tripped from the castle homeward; she was in no mood to meet any one; and to avoid doing so, she struck off the public path through the woods

towards Glen Heath. A robin was piping pathetically among the elms, and the squirrels were gambolling in the sunshine among the branches overhead. As she walked slowly over the turf she drew forth Angus's letter to read once more, and as she read, the tears started afresh to her young eyes, and she sobbed as she went.

Presently she was surprised by a voice, a kind, gentle voice, addressing her in a familiar tone: "Well, Maggie Cameron, what may all these tears be about? You look sadder than a young and bonnie lass like you has any right to be, surely! Are you well enough?"

The girl looked and looked again, and the flush came and went in her cheeks as she became conscious that, stretched at full length on the grass close by, under the shade of an elm, with a book in one hand and a lighted cigar in the other, was—the duke!

Maggie courtesied low with a natural politeness, and in her confusion dropped her letter, but hardly dared to stoop to pick it up.

"I'm sure, your Grace, I peg your pardon humbly; it wass a great liberty I will be takin' in coming home this way instead o' the road."

Maggie hardly knew whether to turn back or to go on; being undecided, she did neither, but stood still in some bewilderment, the letter still lying at her feet.

"But you have not answered my question, I think," said the duke encouragingly.

"I peg your Grace's pardon again," replied the girl nervously; "but it wass—it wass—but it wass Angus——" And there she stopped abruptly, and fairly broke down.

"Come here, my child," said the duke, interested in the girl's manifest grief. "And what about Angus? Tell me all about it. Who knows, I may be able to help you?"

The Highland maid looked into the thoughtful, kind face of the duke, and went a few steps towards him.

"It wass apoot Angus MacTavish, your Grace, and he wass—— But your Grace will not know anything at all, at all apoot Angus."

"Do you mean the gamekeeper's son, one of my crew, Maggie?"

"Ay, your Grace, that same!" said she with delighted eagerness.

"Oh, *he's* at the root of your distress, the rascal, is he?"

"And inteed no, your Grace; it wass not him at all; he wad not hurt nopody's

feelings whatefer; oh, inteed, he's as cood and — and as prave a lad as iss in all the Hielants mirofer; and it iss not him, your Grace, but my father and his father too had some quarrel; not but that they are cood men, poth cood men neither; but it was all on account of a glass o' pad whisky or the like o' that, I think; but — but — oh, your Grace, Angus is going away cass my father has taken a hatred of him, and won't hef a word that iss cood to say to him; and if Angus goes away it wad preak my heart!"

The duke rose, leaving his book on the grass, and placing his hand kindly on the maiden's shoulder, said: "Come, Maggie, this may not be so bad as it seems! We shall see what we can do. Dry your eyes, child. Angus can't go away from my yacht without my consent, and I shall take care that he shall not go away. Take comfort from that. We shall see what can be done."

"Oh, but my father iss fery obstinate, your Grace, fery! And he wants me to marry another man that I cannot bear to look at. But I am troubling your Grace."

The duke's sympathy had wonderfully dispelled Maggie's awe.

"Well, well," said the kindly nobleman, "pick up your letter. If the piper won't listen to reason, we must see what can be done without him. But your father is a sensible man, and will no doubt listen to reason. Good-bye! Remember there must be no more crying. And you don't think it will be hard to bring Angus to reason? Well, well, we shall see. But, remember, not another tear all the way home!"

Encouraged by the words of the great Highland chief, Maggie courtesied low again, and sped homeward, with a burden lifted from her heart.

Angus MacTavish astonished the village watchmaker and jeweller by walking into his shop towards gloaming one evening, shutting the door carefully behind him, and even turning the key in the lock when he had satisfied himself there was no one present except the big-browed, humpbacked little watchmaker behind his glass cases.

"And iss it yourself, Angus MacTavish?"

"O ay, it iss me." Angus was examining, with a deep flush on his face, the case of ornaments in front of him.

"And what iss it that I can pe dooing for ye, Angus, the nicht?"

"Oh, it wass only a" — Angus coughed

— "it wass a ring — a gold ring that I wad be wanting ye to shew me mirofer."

"Oho! that wass it, wass it?" said Mr. Steven, winking at Angus, as he took his horn magnifying lens from his eye, and came from his three-legged stool and marvellous assortment of tiny hammers, pin-cers, and watchmaking gear, scattered on the bench before him, to speak with Angus at the counter.

"Wass it a shentleman's ring now, Maister MacTavish, or a ring for the lass?"

"What wad the like o' me pe doing with a shentleman's ring, Mr. Steven? Do ye take me for a wheeper-snapper lawyer's clerk, that ye should think o' me in that way?"

"Weel, weel, Angus lad, ye may pe right; but a' the lads wear them nooadays. Nae doot it iss ignorant vanity; but it is cood for trade, and it is noo for me to be finding fault with my customers. And it wass a ring for the lass — eh weel, that iss cood too," said Mr. Steven, pulling out a drawer full of subdivisions glistening with Scotch pebbles of many varieties set in gold, and placing them before Angus. "Noo, there iss one that wad mak' any bonny lassie's mouth watter, and it iss only twelfe-an'-sixpence; and if ye like, I hef got a pair o' ponny ear-rinks to match it — the whole lot for a pound."

"Na," said Angus, pushing aside the gaudy stone; "it iss a plain gold ring I want, wi' no rubbishing stones apoot it."

"Eh, what, Angus! And iss it a mairriage ring that ye wull pe wanting me to gif you mirofer? Eh weel! but that iss a fery different tale from what I hef peen hearing — and it wass a mairriage ring — eh dear me! But it iss myself that is happy to hear it."

"Hush-t!" said Angus sharply, red-dening. "A man may want to hef a wedding-ring apoot him — maype for a friend or the like o' that — without his — his" — Angus coughed a retreat.

"O ay, ay; surely, Angus, surely. Nae doot apoot it; ay, ay, lad — nae doot apoot it!"

Angus left the shop with a circlet of gold in his waistcoat pocket.

Meantime, although almost a fortnight had passed, the piper's lawsuit hung in the wind, despite the fact that his legal adviser felt it to be his duty to hold frequent and prolonged conferences with him at Glen Heath. The lawyer was not such genial company as Angus had been; and though he did his best to be agreeable to Maggie

and sociable with her father, even to the extent of trying to learn the bagpipes, he had to lay the unmanageable instrument aside, under the piper's sweeping generalization, "that lawyers had no more ear for music than the pigs." In his heart the piper was not sorry to see that his daughter snubbed Angus's rival in spite of his own strictest commands.

The Highland maid seemed to be bearing her lover's banishment better than was to be expected. More than one attempt had been made by the young sailor to mollify Mr. Cameron, without palpable signs of success; and when Maggie renewed her protests, she was met with the announcement that if MacTavish's name was again mentioned to him, she would be sent off to her aunt's in Glasgow for the winter—a threat the full significance of which none knew better than Maggie herself.

Then it was announced that on a certain evening there was to be a supper given by the duke in the barn of the Home Farm, to which all the servants and many of the tenantry were invited; and to the piper it was intimated that he would be expected to bring his bagpipes with him. Here was quite sufficient reason for Maggie to be wearing her eyes out with the preparation of feminine finery, as the piper observed she had been doing for several days.

Early in the morning after Angus's interview with Mr. Steven the watchmaker—and it was a lovely autumn morning—the piper's daughter might have been seen walking briskly, perhaps somewhat paler than usual, through a meadow at the western side of Inversnow, towards the loch. Her heart beat quickly as she went, and there was a touch of anxiety in her face as she glanced back occasionally to the white cottage on the slope at the entrance of Glen Heath, as if she expected to see some one following her. She walked quickly on, brushing aside the dew with her dress as she went, and hardly paused until she reached a sheltered inlet of the loch. At some little distance from the beach, a boat—Maggie's own boat—was resting on the water, and the maiden had barely time to spread her white kerchief to the wind, when the oars were swiftly dipped, and almost immediately the bow of the boat ran high on the beach, grating along the pebbles almost to her feet, and Angus leaped out and held her in his arms.

"O Angus, dear, I don't think I can possibly go through with it—I really don't think I can!" she murmured.

"Ye are too late now, my bonny doo" [dove], "too late now."

Maggie stepped with Angus's help into the boat, although she did not think she could "go through with it."

"But if dad should come back and miss me—O Angus!"

"He will not come back. The teuk—Cott pless him! has sent him to the Duagh ruins with a party from the castle. Look, Maggie! do ye see the flag—the teuk's flag—on the mainmast o' the yacht?"

Angus rowed swiftly, without swerving, to the yacht. Not another word was said as Maggie ascended the ladder from the boat, accompanied by Angus. She was rosy as she noticed the universal grin that greeted her from the men as she walked along the deck, between the good-natured captain and Angus, straight to the cabin. In the cabin—a room with its gold and crimson, and carved wood-work, its luxurious carpets and pictures, its books and piano, and the sweet glimpses of loch and mountain visible from the wide-open ports, that made Maggie feel as if she had been introduced to a nook in Paradise—she was overwhelmed to find herself again face to face with the duke! With the duke was her old friend Mr. Fraser, the parish minister of Inversnow, whose presence had a wonderfully inspiring influence as he shook hands with her. Mr. Fraser was a little gentleman with the whitest of hair and the sharpest yet the kindest of eyes. "Are you quite certain, Maggie," he said, handing his open snuff-box to the duke, smiling, "that now at the last moment you do not repent?"

"We can land you again in a twinkling, you know—can't we, Angus?" said the duke, looking slyly from one to the other. Angus was standing in the background, rather sheepishly, if the truth were told, cap in hand. Maggie had hardly time to assure "the minister" that she would be the last to disappoint his Grace the duke, and was quite certain, when a door at the other end of a cabin opened, and the duke's daughter, Lady Flora, entered; and again the Highland maid courtesied, overwhelmed with blushes as her ladyship shook hands with her.

"We shall hear by-and-by what the piper has to say to this," said Lady Flora; "but you, Maggie, had better come with me for a time, that all may be done in good order."

And so Maggie was carried off by the duke's daughter to a second nook of paradise in blue velvet and gold and mirrors,

a fairy cabin redolent with the perfume of flowers, and with a glorious peep of loch and mountain from a different point of view. The girl felt as if she were moving and talking in a dream.

When she emerged with Lady Flora she was clad in simple white attire, veiled, and a spray of heather-blossom mingling in her hair. Was it still a dream? — the minister with an open Bible before him, and Angus waiting to take her by the hand!

"Wilt thou have this woman to be thy wedded wife?" etc., the magic words that have sent a thrill through the hearts of so many generations, were sounding in their ears too. And as for Angus — well, Angus was conscious, as he placed the ring on Maggie's finger, that he was drifting away into a dreamy world of happiness, far better than he deserved, or ever, in his most ardent moments, dreamed were in store for him!

The piper returned with the party that had been committed to his guidance towards set of sun, and reached Glen Heath hungry as Esau from the field; he was impatient to be at the Home Farm barn, where he and his bagpipes were already due. So hungry and impatient was he that he did not cross-examine Janet with that severity which generally characterized him, as she — well primed in her part — explained that Maggie had already started for the ball. No; the piper was speedily girding himself, in the merriest possible frame of mind, in his best, and smiling as he observed that Maggie had for the occasion adorned his bagpipes with new ribbons. The piper was no fop; but it was rumored that the duke himself was about to lead off the ball to-night, and that some of the ladies from the castle were to be present; so it behoved him to appear in his best tartan, which he did; and a finer specimen of the clan Cameron, firm on his legs, with a head set strongly on a pair of broad shoulders that proudly bore the bagpipes, never led clan to battle-field.

With all his haste, he was late. Many of the company were already seated at the long tables that extended from one end of the barn to the other. People were shaking hands and chatting freely, and already there was the fragrant odor of cooked meats, tempting the appetites of all and sundry. The room was gaily lit with candles and lamps from the castle. The piper lifted his cap politely in acknowledgment of the applause that greeted him as he entered.

"This is your place, Mr. Cameron," said the duke's factor, who acted as steward for the occasion, pointing a place near the head of the table, and immediately opposite Mr. MacTavish and his wife; the former of whom frowned blackly as the piper looked across at him.

"Na, Mr. Reid, na; not just yet," the piper said rising.

"A tune, Mr. Cameron, a tune!" came from several quarters of the room; a request which the piper was pleased and proud to comply with. Nor did the music cease until the door opened, and the duke walked in, Lady Flora leaning on his arm, and behind him Mr. Fraser, leading in the mild-eyed duchess; and behind these several of the duke's guests. The bagpipes came to abrupt silence as the company rose to cheer the ducal party. When Mr. Fraser had asked a blessing on the mercies which the duke had provided for them, there came a loud clatter of knives and forks and an assault upon the dishes; and talk and laughter and merry din. The piper forgot the gamekeeper in the absorbing fact that he was seated between Lady Flora and Factor Reid, an unusual and unexpected honor; so absorbed, that he hardly noticed that his daughter Maggie had not up to this moment appeared in the room.

When the dishes were cleared away and glasses and decanters stood regiment-wise along the table, the chief rose and, when silence prevailed, said: "My very good friends, before I ask you to fill bumpers for the toast of this evening, the nature of which I shall be called upon to explain presently, I wish you all to join with me in a glass to two very worthy friends of mine, and esteemed acquaintances of all of you; whose good qualities are too well known to require any words from me to commend them to your favorable notice — I mean our excellent friend Mr. Cameron of Glen Heath, and my no less esteemed friend Mr. MacTavish of Glen Ford; and may they never be worse friends than I am sure in their hearts they are to-night!"

There was a general clinking of glasses and nodding of heads towards the piper and the gamekeeper: "Your health, Mr. Cameron!" "I look towards ye, Mr. MacTavish!" "Your fery cood healths, shentlemen!" etc.

It need hardly be said that Mr. Cameron and Mr. MacTavish looked extremely foolish as the sounds gradually passed into silence, and all eyes became fixed on them; but neither of them seemed dis-

posed to rise. At length the piper sprang to his feet.

"It wass a great honour that his Grace paid me, and I thank him for it with all my heart. And it wass — well, it wass, ladies and shentlemens — well, ye may hef heard mierofer that there wass a small wee bit of a tiference — inteed ye might call it a quarrel between Mister MacTavish and me, and it wass a pity too whatever — nae doot there might be faults on poth sides — and your Grace, if ye will allow me to say it — I pear no enmity to no man this nicht, no not to Mister MacTavish, nor to any other shentleman at all, at all."

"Bravo! bravo!" exclaimed the Duke, looking towards Mr. MacTavish. But that worthy had no gift of words, and only signified his emotion by a series of dry-lipped jerks and nods and a waving of the hands in the piper's direction, meant to imply his general assent to the piper's view of the case.

The duke again rose. "I now rise to ask you, every one of you, Mr. Cameron and Mr. MacTavish included, to fill your glasses a good bumper, to drink with me the toast of this evening. I drink to the very good health of the bride and bridegroom in whose honor this ball is given to-night." At the same moment the door opened, and Angus MacTavish entered with Maggie Cameron — no longer Cameron — leaning on his arm. Maggie looked round the room in some bewilderment. When her eye met her father's, her hand dropped from Angus's arm, and with her face all pale, she walked firmly toward him. When she came to him, she stopped.

"Dad!" — with quivering lip and with eyes in which lurked tears — "iss it angry with me ye are then, dad, cass I hef married Angus MacTavish? O dad, ye'll no pe that angry!"

The piper, conscious of the dramatic possibilities of the situation, paused, looked at the Highland chief, who was still on his feet, and then at Maggie's sweet fresh face, which was turned piteously to him. He looked at the white muslin dress, prettily studded over with satin bows, and from there to the dainty white satin boot that peeped from below the dress, and felt proud to be his daughter's father.

"And iss it merrit ye are then, Maggie, to Angus MacTavish? but it iss — well, it iss a praw lad too, and well deservin' a praw lass for his wife —"

Maggie's arms were immediately thrown

about her father's neck, and the welled-up tears found easy channel.

"Gif me your hand, Angus, ye pla-guard!" The hand gripped with Celtic impetuosity.

"Excuse me, Mr. Cameron," interrupted the duke. "Ladies and gentlemen, we must drink the young couple's health with full Highland honors; and no heel-taps!" The rafters rung with hearty cheers as the men stood with one foot on their seats and the other on the edge of the table, doing honour to the chief's bidding to youth and beauty.

This ceremony over, the piper rose, walked slowly and solemnly, amidst the silence of the company, to the place where Mr. MacTavish sat. Mr. MacTavish rose, and the men faced each other.

"Tonald!" said the piper impressively.

"John!" said the gamekeeper. A pause.

"It wass an angry man I wass, Tonald!"

"And so wass I neither," said the gamekeeper.

"But we wull droon it all in this, John," said the piper, filling two glasses with whisky, and handing one to his friend.

"But the oil-cake nefer wass biled!" said Donald solemnly, as he poised his glass between him and the light.

"Teffle take the oil-cake, John!" said the piper impetuously. "Gif me your hand, man!"

And the reconciliation was complete.

The tables were speedily cleared away, the piper soon discoursing stirring music from his pipes; with the satisfaction of seeing the duke lead off his beaming child as partner in the first reel. Daylight peeped in before the pipes were quieted, or the noise and merriment of the company were hushed.

And now, before the door of a cottage that has been built within a short distance of the piper's, there are to be seen three fine boys and a "sonsie" lassie, the eldest rejoicing in having a duke for godfather; and a proud man is the piper as he teaches Archie the oldest boy how to extract martial music from a sheep's bladder, which the ingenious youth has converted with skill into home-made bagpipes. To this day, the piper, on whom years are beginning to tell their pathetic tale, meets his friend the gamekeeper once or twice a week at Mrs. MacDonald's clachan among the hills, and the toast which always furnishes an excuse for the one extra glass that the piper thinks needful to send him cheerily on his way home is, "Cott pless the Teuk!"

From Temple Bar.

A PRINCESS'S MOONLIGHT FLITTING.

CARDINAL MAZARIN, angered by the Great Condé's opposition to his schemes of ambition and family aggrandizement, and irritated beyond endurance by the mordant sarcasm and ridicule with which the hero of Rocroi attacked every part of his administration, had succeeded by a surprise in getting Condé himself, his brother the Prince di Conti, and their brother-in-law the Duc de Longueville, safely lodged in prison. Anne of Austria, the widow of Louis the Thirteenth, regent for her infant son, Louis the Fourteenth, had been bitterly offended in her own person by the overbearing insolence of her great kinsman; and Gaston, the brother of Louis the Thirteenth, who was lieutenant-general of the kingdom, had without difficulty consented to the strong measure which consigned the princes of the blood royal to a prison.

But Mazarin knew France and the then state of men's minds and of parties too well to imagine that all was safe when he had succeeded in caging his enemies. He had contrived, it is true, to get into his power—at the same sweep of the net all the principal persons who might be expected to make Condé's cause their own. It is true that the Duc d'Enghien, the hero's son, was only seven years old; that his mother, the princess dowager, was too old and infirm, and his wife, the princess, too young and inexperienced, to be very formidable. But these princesses, together with the Duc d'Enghien, the heir to all the greatness of the house of Condé, were living at the family residence of Chantilly, at no great distance from Paris; their residence there made Chantilly a centre and rallying point for all the numerous intrigues that the friends of the family were busily fomenting with a view to the deliverance of the princes, and it was accordingly felt by the court that it was unsafe to allow those ladies and the young heir of the family, and their little court, almost entirely female as it was, to continue their residence there.

It was on Monday the 11th of April, 1650, about two months and a half after the date of the arrest of the princes, that disquieting news reached the inmates of the château, which plainly indicated that they were not to be left unmolested there any longer. Six companies of Swiss guards were reported by faithful spies to have left Saint-Denis, who, together with two squadrons of light horse from Sois-

sons, were quietly occupying all the passages of the river Oise, Le Presy, Creil, and Pont-Sainte-Maxence, as well as taking up positions at Senlis and Luzarches. It was evident that, even if no molestation of the persons of the princesses were contemplated, they were to be cut off from all communications with Paris, and with their friends in other parts of the kingdom. Trustworthy spies were immediately sent out from the château in all directions; and by midday the princess dowager had received from them certain information that the tidings which had reached her were in no respect exaggerated. Dinner, at midday, passed as usual at the château; but immediately after it the dowager invited all the persons at Chantilly in whom she most trusted to meet her and the other ladies in the chamber of the Duchess de Châtillon. The choice of such a place for the little council indicates curiously enough the importance that was attached to secrecy, and the danger there was felt to be that any such conference taking place in any of the more public sitting-rooms of the château might not have been safe from the prying ears and eyes of some traitors in the midst of the little family. Arch-conspirator Lenet, trustiest of the trusty, was of course, among the first, quietly told that the dowager wished to speak with him in the Duchess de Châtillon's private apartment. And as there is nothing like trouble and danger for putting power and authority into the hands most capable of wielding them, and making captain the man most fitted to be captain, lawyer Lenet very quickly took the leading part in the little council. There were not wanting one or two military men there; old Captain Dalmas, the commander of the little garrison of the château, who was always for remaining quiet and doing as nearly nothing as possible, and one or two others; and it might have been supposed that the business in hand belonged rather to their department than to that of any civilian; but for all that, lawyer Lenet was the man who assumed, apparently *nem. con.*, the general command of all in the château.

Lenet explained all the reasons why, even if the princesses should be allowed to remain quietly at Chantilly, it would be fatal to their ulterior hopes for the deliverance of the princes to allow themselves to be cut off from all communication with their friends, and laid before them his plan for an immediate escape to Montrond. Montrond was a fortified castle belonging to Condé, situated very nearly in the centre of France, on the confines

of Berri and the Bourbonnais, near the spot where the territory of the Nivernais touches them. It was a very strong place, both by its natural position, and by the works of fortification by which it was defended. And once there, in the midst of Condé's own country, the persons of the princesses and of the young duke would have been safe from anything short of a regular and prolonged siege, which under the then circumstances of France was hardly to be feared.

The younger princess instantly accepted Lenet's proposal with enthusiasm. If only they do not ask her to be separated from her boy, she was ready to go anywhere, or do anything that might be deemed for the service of her husband. The princess dowager was in no such hurry. She praised the zeal of her daughter-in-law, and said that she should be ready to put the plan of escaping to Montrond into execution when the proper time should come; that they had all but one object—to save the heir to the house, and preserve as much as was possible of the fortunes of their family in this shipwreck, and would therefore do together whatever they should decide upon doing. The old lady spoke quite affectingly; but Lenet knew that her "when the proper time should come" meant something very different from what he meant; and, moreover, that he did not by any means intend that the hazardous flight to Montrond should be encumbered and rendered more difficult by the company of the elder lady.

He had no opportunity at that moment, however, of urging his views upon the little meeting, for the council was interrupted by the announcement that the Bishop of Senlis had arrived at the château for the purpose of confirming all such of the inmates as needed that rite. No doubt there were sundry candidates for the rite among the younger of the maids of honor of the two princesses, and the bishop's visit occupied some hours, which Lenet, who knew that matters were more pressing than any one else in the château was aware of, grievously grudged to him.

At about five o'clock in the afternoon, however, Blanchefort, a thoroughly trusted servant of the dowager, came to her to tell her that he had met in the forest a stranger, whom he happened to know to be a gentleman attached to the service of the king; that about ten days previously he had seen this same person travelling between Sens and Dijon; and that when he had met the stranger in the forest just now, the latter had told him that he was

there to have an interview with the princesses, but would not mention the object of his visit. Hereupon there was a fresh hurried meeting of the principal inmates of the château. The dowager communicated to them what she had just heard; and it was agreed on all hands that the tidings looked very serious indeed; that there was every reason to think that this gentleman of the chamber was the bearer of some order from the court either for the arrest of the princesses and the young duke, or for the keeping of them as prisoners in their own house of Chantilly.

And hardly had the frightened party unanimously arrived at this conclusion, when old Dalmas, the commandant, came to announce that a gentleman in the service of the king, of the name of Du Vouldy, had arrived with letters for both princesses, which he begged to be allowed to deliver to them in person.

The announcement fell like a thunderbolt on the little assembly. But arch-conspirator Lenet was equal to the occasion. Without the loss of a second he told Dalmas to say to the stranger that the dowager was ill, but would receive him in her chamber in a few minutes. He begged the old lady to get herself to bed with all possible speed, to assume all the appearance of a sick person, and when the messenger from the court should be introduced, to say all that was best adapted to keep him waiting a short time for the execution of the order of which he was the bearer. Then he flew to the chamber of the young princess, who really was in bed with a bad cold, made her get up in all possible haste, and caused a young English girl, one of her maids of honor, of the name of Gerbier (?), to get into the bed in her place. This done he dashed into the nursery, where the young duke was with the women who attended on him, and while some of them ran to bring in a son of the gardener, of just the same age as the duke—seven years old—Lenet himself superintended a rapid changing of clothes between the two children, and packed off the little duke to the gardener's house! This done, he rushed back to the young princess's chamber, and took her with him and the Duchess de Châtillon into the dowager's room, just in time to hide themselves in the *ruelle*, *i. e.*, between the bed-curtains and the wall, so that they might hear all that passed when Du Vouldy was admitted.

The old lady performed her part of invalid perfectly. She read the letter the messenger brought her; and then said that it

was impossible for her to make the voyage commanded by his Majesty—or rather by those who persecuted her in his name; that she would write to the Duke of Orleans (Gaston, the lieutenant-general) to ask to be allowed a little time to make her preparations; and that in the mean time he Du Vouldy, might go and deliver the letter he had for her daughter-in-law, and then do anything that might make his sojourn at Chantilly as agreeable to him as possible till the reply of the Duke of Orleans should arrive.

Du Vouldy went accordingly to the princess's chamber, where he found Made-moiselle Gerbier waiting for him. She played her part, as Lenet tells us, to such perfection that it was impossible for a stranger to doubt that it was the princess. Her air, her manner of speaking, her complaints against the queen regent and the cardinal, were all so exactly what those of her mistress might have been supposed to be, that Du Vouldy had not the slightest doubt that he was speaking to Condé's wife.

Then he was taken to the nursery, where the deception that had been prepared for him was equally successful.

And not only did the clever English girl (could her name have been Garnier, to be mistaken by the French writer for Gerbier?) utterly mystify him upon the first occasion, but during the whole time of his stay at the château; so much so, that when afterwards there arose a rumor to the effect that the princess had escaped, Du Vouldy wrote every day to Paris, and to the cardinal in Burgundy, to the effect that he could answer for it that both the princess and the young duke were safe at Chantilly, for that he was in the habit of seeing them every day, and at all hours of the day.

When Du Vouldy had had these interviews with the personages to whom he had been sent, he was taken to admire the beautiful gardens and walks of Chantilly, was feasted, and kept amused while the princesses and their friends held another council. The first thing done was to put into Lenet's hands the letters which the royal messenger had delivered to the ladies. The contents of the two letters were very nearly identical. The princesses were informed that their longer stay at Chantilly was deemed "prejudicial to the king's affairs," that the person who was the bearer of the letters had his orders, and that the ladies and the young duke must accompany him whither he should lead them. Lenet thought that he per-

ceived also from some phrases in the letter, that it was the purpose of Mazarin to seize Montrond also; and this of course made it appear to him more than ever expedient to have the princes there to secure the loyalty of the garrison.

When Lenet had read the letters a general discussion commenced. "But," says the arch-conspirator, "since there was no time to lose for the execution of the plan I had conceived, and as I perceived that they were all inclined to talk, I interrupted the second who spoke, and briefly explained my own plan."

Lenet had for some time past foreseen that matters might come to the pass at which they now were, and had made his preparations accordingly. His plan, in a word, was that the younger princess should escape with her son that same night. Everything, he urged, depended upon securing the persons of the princess and her son, and every hour they remained where they were increased the danger of their falling into the hands of their enemies.

"The princess dowager interrupted me, and asked, in a sour tone, where I proposed to lead them. 'To Montrond, Madame,' said I. 'And I flatter myself that I shall bring them thither in all safety.' The old lady answered, with much anger in her manner, that I should cause them all to be taken prisoners. 'We are that already, madame,' said I; 'and if we are arrested *en route*, we cannot be worse off than we are now.'"

All those who were present hastened to express their concurrence with this view except the dowager. She did not like to attempt the journey (and, indeed, Lenet had no intention of taking her), and she did not like to be left behind. It was pointed out to her how necessary it was that she should remain to keep Du Vouldy in his error for a day or two; and Lenet reminded her, besides, that it had been before determined that she should go to Paris to present a petition to Parliament praying the intervention of that body for the release of her son.

At last she was persuaded. And then Lenet let them know that his proposal was that they should start that same night at eleven o'clock. There was no little amazement and bustle and alarm. But the younger princess held firm to her promises, and made no objection. All was got ready with the utmost possible expedition and secrecy. Du Vouldy was safe in the apartment which had been assigned to him, somebody—old Dalmas probably—having been told off for the

duty of drinking with him and keeping him engaged till bed-time. Lenet had some time previously caused a plain carriage without any arms on the panels to be prepared, as well as several suits of grey livery unmarked by any distinctive sign. This carriage, drawn by two horses, was ordered to be in readiness in the immediate neighborhood of the house, and four other horses were sent into the forest, having been taken out of the stable as if to be led to water, the harness being carried out secretly by another way.

When all was ready it was found that the princess had packed a very valuable service of gold plate in a chest, which she proposed to have tied on behind the carriage. But to this Lenet objected, peremptorily telling her that they had to think of the safety of something more valuable than gold plate, which the weight of the latter might jeopardize! Then the fluttered young wife made a little bit of an harangue, which she deemed the solemnity of the occasion required. She divided the trinkets she had about her person among the ladies who were to accompany her, like one who was about to quit the world. To Lenet she gave a watch, which she took from her side, telling him not to forget her, and, above all, to remember that she confided to him what she had dearest and most valuable in all the world—her son; that he was always to bear in mind that, whatever might betide, the young duke was not to be trusted to the hands of the Spaniards, or of the Huguenots, or, above all, of the Duc de Bouillon. Her cousin, the Duc de Saint-Simon, on the other hand, might be trusted implicitly.

Lenet, nervous and anxious to be off, cut her short with the assurance that he would act faithfully in any circumstance and according to the circumstances, and would keep her informed of everything . . . as far as he could.

Then there was much embracing and tear-shedding among the ladies who were to go and those who were to stay in the château, and an infinitude of caresses to be bestowed on the little duke, who was dressed as a little girl for the occasion, in a *manière très-agréable*; Lenet standing by the while, and every instant becoming more and more impatient. At last, after "*des pleurs et des gémissemens incroyables*," he got them off—on foot, that is to say, for the carriage was waiting in the forest. The princess, the Comtesse de Tourville, her pretty and clever daughter the Comtesse de Gouville, and a Madame

de Changrand, passed from the château into the garden, and thence by a private door into the park, and so to the open forest, where the carriage was awaiting them. Bourdelot, the physician, who acted also as the young duke's tutor, the squire La Roussière, and two servants, Fleury and Viàlard, the latter of whom carried the Duc d'Enghien in his arms, prepared to run with him while the others prevented pursuit, in case of an attack in the forest, made their way by another route to the same place of rendezvous. Lenet himself, after seeing them off, together with two other tried friends of the family, and the grooms, took a different road, in order to avoid the suspicions that might be aroused by the travelling of so large a body of persons.

All went well during the night. Lenet, with his party, reached the Porte Saint-Denis, at Paris, at the same time that the carriage with the ladies and the child in it, and the four above-named men on horseback escorting them, reached the Porte Saint-Martin. And all had joined at the appointed rendezvous in Paris by four o'clock in the morning. The somewhat hazardous task of getting clear out of Paris was accomplished before daylight; and a fresh carriage and horses, ordered from the Condé stables in Paris, met them at Juvisi—now a station on the Orleans railroad. During the entire journey all those on horseback rode two-and-two together, but not at so great a distance as to lose sight of each other or of the carriage. When they stopped for refreshment they went to different hostleries, and avoided all appearance of knowing each other. Madame de Tourville called herself Madame de la Vallée, and all those in the carriage passed for her family.

Thus they arrived at four o'clock in the afternoon of that day, the 12th of April, at Augerville-la-Rivière, where the president Perrault, who had been arrested at the same time that the princes were, and shared their captivity, had a mansion. Lenet had counted on finding at Augerville the carriage and horses of the president, and pursuing the journey by their means all the night. But the horses had been sold during their master's imprisonment—"contrary," says Lenet, "to orders which I had given when I first conceived the idea of taking the princesses from Chantilly to Montrond;" orders, which illustrate curiously the absolute captainship of everything concerning Condé's affairs which Lenet assumed as soon as the princes were in durance, and the ideas

of the time, which made it a matter of course that all the goods and chattels of the friends of the family—or servants of the family, as the language of that day styled them—should be held to be at the service of the prince if his needs required them.

The president's horses had been sold, however; and the anxious party were obliged to remain at his house for the night.

Very early the next morning, the 13th, they were again *en route*, and soon reached Choisy-aux-Loges, where another "servant" of the prince, Bellegarde, lived. He was absent, and, says Lenet, "I would not permit his wife to receive the princess, for fear it might injure her husband. But she met the fugitive at a 'hermitage'—*i.e.*, a sort of summer-house in the grounds—and there offered anything that she could possibly do for her service, and supplied us with fresh relays of horses, which were extremely acceptable."

It was necessary to pass the Loire at Sully, the place from which Henry the Fourth's great minister took his name. And this passing of the ferry was rather a critical affair, as it necessarily caused delay, and a gathering of people, and the quitting of her carriage by the princess. The ladies were rowed over in a small boat; but as the bringing across of the carriage and horses was a much longer affair, the ladies had to wait on the farther bank of the stream. "We all sat about upon the stones on the bank as if we had been of equal condition; and in order to guard against all suspicion of that of the princess, she sat on my knees." The bringing across of a carriage, and so many horses and people, caused a considerable crowd to assemble; and presently, all of a sudden, Lenet heard a voice call to him by name. He strove to make the person who had addressed him believe that he was mistaken, declaring that he knew nothing of any M. Lenet. But the stranger, who turned out to be a valet of the Duc de Sully, said he knew him perfectly well, as well as the princess, and begged to be allowed to speak a few words to him in private. Lenet having stepped aside with him, the man told him that he knew perfectly well each person in the suite of the princess, and that he understood entirely that the princess was escaping from the hands of the court party; adding that his master had no wish but to serve the princess in any way in his power, and offering eighteen thousand francs, which

the duke had just received from his tenants. When this was told to the princess she took a ring from her finger, and gave it to the man, saying, however, that she had no need to accept his master's kind offers. "I longed, however, to accept the money," says Lenet, "for we were much in want of it, our finances being reduced to about five hundred pistoles, which the princess had, and twenty thousand francs which I had got together, partly by borrowing them and partly by the sale of some plate." After this incident they got on the same afternoon as far as Argent, in the province of Berri, where the Sieur de Clermont, an old "servant" of the prince, had a house. Clermont, who was the father-in-law of the governor of the fortress of Montrond, gave them horses throughout the night, sent on in relays every four leagues. Thus they reached, on the morning of the fourteenth, a château within sight of Bourges, belonging to another friend, the Sieur de Rhodes. There the princess dined, changed horses, and sent back Madame de Bellegarde's carriage, with a letter of thanks. And at midnight of that day, the fourteenth, they all arrived safely at Montrond, having made the journey, as Lenet remarks, with a rapidity greater than could have been deemed possible, considering that it was made in a carriage, "with a lady and child of such a rank, and without having sent on any relays along the road."

The princess remained at Montrond till the eighth of the following May; and the life at the château during those weeks, as described by Lenet, who was the soul and mainspring of all the tangled web of intrigue, which made the business of the existence of every one of the party, is very characteristic of the curious state of French society at that period.

The first business is to send out letters—all under the direction of Lenet—to all the friends and connections of the family to ascertain how far each is prepared or can be persuaded to support the princes against the government—*i.e.*, against the queen regent and Mazarin; for all parties professed themselves most loyal subjects of the young king. Numberless messengers were arriving continually—for it was dangerous to write—from different *grands seigneurs*, some professing to be ready at any moment for anything that it might be proposed to attempt in favor of the illustrious prisoners; others temporizing, and disposed to wait and see whether the party of the princes acquired consistency and force. The Duc de Saint-

Simon was prepared to offer the princess and her son a safe asylum in his château, if they would accept it, but thought that he must wait a while before overtly taking part in arms against the court. This offer was just the reverse of what Lenet wanted. He much preferred that the princess should trust for personal safety to her own house, but was anxious that the duke should declare himself. "Another person's house," remarks lawyer Lenet, "is never so safe as your own; because such a guest as the princess, and still more the young duke her son, is always liable to be made to serve as the price of a reconciliation with the government if things should go amiss."

La Rochefoucauld, for his part, was ready for anything; but as his sole motive was to please the Duchesse de Longueville, he could not be trusted to do anything which did not come immediately under her eyes, or which had the result of removing him from her.

At the same time, all that was necessary to render Montrond impregnable was to be got together as quietly and secretly as possible. And at the same time the suspicions and fears of the queen regent and the cardinal are to be lulled to sleep as far as possible. The princess writes a letter to Anne of Austria, in which her flight from Chantilly to Montrond is justified cleverly enough, and yet with an effrontery of pretence that is amusing. She had received, she said, the king's orders not to remain at Chantilly; and as the state of her mother-in-law's health made it impossible for her to travel at that moment, she, the young princess, had thought it best to lose no time in showing her eagerness to obey the king's orders, and had therefore left Chantilly, and thought that the most proper place for her retirement, so long as his Majesty's displeasure against her husband should unhappily last, was her husband's own house of Montrond; that her one object during her stay there would be to remain in such perfect tranquillity as should give proof that nothing was further from her or her husband's thoughts than to give trouble or cause of displeasure to the king's government in any way. She added indignant complaints of the Comte de Saint-Aignan, who had been appointed governor "or the king in Burgundy after the imprisonment of Condé. This Saint-Aignan showed his zeal by continually riding over the country with a band of cavalry two hundred strong, spying and intercepting those who came to or from Montrond; and had said, as had been reported to the

princess, that if he could have caught her on her journey, he would have cut her escort to pieces, even if he had not arrested her and her son. This letter was sent by the Sieur Blanchefort, who had been one of the party on the occasion of the flight from Chantilly, and who was a perfectly trusted "servant" of the family. He remained at Paris to watch over the interests of the princes there, but sent his son back to Montrond with letters to the princess and to Lenet, detailing the result of his mission. He had been received in the kindest manner both by the king regent and by Mazarin. He found Anne perfectly well informed of all the circumstances of the journey from Chantilly to Montrond. She talked them over with him, and laughed heartily at them. Here is the letter which she sent to the princess:—

My cousin, Le Sieur de Blanchefort has given me your letter written from Montrond on the 20th. And as that is one of the places which the king, my son, gave you the choice of as a residence—(N.B. there had been no word of any such choice offered)—I will not stop to notice anything that might be to be said as to the manner of your journey thither. I am sure that on reflection you will not think it so strange, as you seem to do, that the Comte de Saint-Aignan should have behaved as he has. Being commandant for the king in the province, he had every reason to be astonished to see a person of your condition travelling as it were in secret, and entering a strong fortress with my cousin the Duc d'Enghien, and unaccompanied by the person whom the king had designated for that duty, and moreover without my cousin your mother-in-law, who had received the same order that you had. But that will be remedied now by the instructions which have been sent to him respecting the intentions of the king, and by the orders he has received to respect and honor you; in such sort that it only remains for me to assure you on my own part, that, dwelling with my cousin the Duc d'Enghien at Montrond, after such fashion that nothing passes there of a nature opposed to the interests of the king's service, you will be not only in perfect safety, but I will on every occasion give you proofs of my protection and good-will.

ANNE.

The letter from Blanchefort to Lenet brought equally favorable and kind assurances from the cardinal.

Yet both the queen regent and the cardinal knew very well that the wife of the prince they had imprisoned was at Montrond for no other purpose than to attempt to raise the standard of civil war in the country! They told her that she might

remain at Montrond, knowing very well all the time that it would require the work of a regular siege to get her out of it! But in all these transactions it is very plain that neither party sought to push the other to extremity; neither acted as if they were fully and seriously in earnest. There is a strange, unreal air over it all, as if they were all at play, and doing it all — conspiring, and governing, and rebelling — for make-believe. And yet the results that hung in the balance seem to have been serious enough. It was quite on the cards that that little Duc d'Enghien might have become sovereign of France instead of that other child for whom, under the name of Louis the Fourteenth, Anne of Austria and Mazarin were with difficulty steering the state bark among shoals and quicksands of all sorts. There was a vast deal of disaffection in the country, especially in the south, and in the important city and parliament of Bordeaux. And there was in every part of the country a dangerous amount of hatred and contempt for the cardinal. Condé was popular. He had rendered great services to France of the kind which Frenchmen most highly appreciate. He had acquired a deservedly high military reputation. Anne and Mazarin *did* succeed in preserving the throne for Louis the Fourteenth, while the country was demoralizing itself in such sort as to render possible the excess of despotism he was able to establish. But assuredly it was possible enough that things might have turned out otherwise. Yet the struggles seem all of them to have been fought with the gloves on. This one special episode of the imprisonment of the princes did not end without results that might very well have changed all the subsequent course of French history.

One or two notices of occurrences at Montrond during those weeks of the princess's residence there in the spring of 1650 are worth picking out as illustrative of the manners and morals of the time.

Great numbers of persons — friends of the family, or those who wished to be considered such — came on one errand or pretence or another to Montrond; there were arrivals every day; and the princess was, of course, desirous of conciliating as many persons as possible, and of getting together as numerous a garrison for her stronghold as was possible, without exciting too much suspicion. But in selecting proper subjects for this latter purpose, it was necessary to act with much caution; and the princess could not venture to permit all those who came thither, and would

fain have remained there, to do so. She made a rule, therefore, which, in order to give as little offence as possible, was made general, that no guests should stay at Montrond more than twenty-four hours. One day — it was the 27th of April — four young men arrived at Montrond — the Comtes de Meille, de Clermont, de Guिताud, and de Lorges. They were all officers of Condé's who had made part of the garrison of Bellegarde, which had capitulated to Mazarin. Of course they blamed the capitulation in the strongest terms — had been, as far as they were concerned, all for continuing the struggle. They bitterly complained that they had no opportunity of showing their mettle, and proving their zeal for the service of the princess by their deeds. They were well received, made welcome for four-and-twenty hours, and graciously thanked for all they had *not* done, but declared themselves ready to do, and for a large budget of news as to all that was going on in the country.

But on the following morning they were given to understand that their best mode of serving the prince would be to go each to his own home, and wait there till they should be summoned to the standard of Condé. They would fain have remained at Montrond.

They all four, says Lenet, quitted Montrond with great reluctance. It is very easy to imagine that these young noble soldiers of fortune — which at that day meant soldiers with no fortune — found living at Montrond at the charge of the princess much more pleasant in many ways than living at their own in the comfortless feudal châteaux which were their provincial homes. But there was, as Lenet explains, another reason, which made them especially unwilling to move from Montrond. One of the party of ladies in the coach on the memorable night of the flight from Chantilly, it will be remembered, was the Marquise de Gouvill, the daughter of Madame de Tourville, the chaperon of the party. Now it would seem that all four of the young men in question were so sensible of the charms and attractions of the young marquise, that although they had been only twenty-four hours in the house with her, they were extremely reluctant to leave her. Naturally enough, says Lenet, for she was assuredly very beautiful, full of wit, and only eighteen!

"The great friendship," says Lenet, "that bound me to the late M. de Tourville, her father, one of the bravest soldiers and most adroit courtiers that I ever

met with, as well as my strong regard for madame, her mother, placed me on terms of great familiarity with her, and caused her to have so much confidence in me that she did not conceal from me any of the *offers of service* (i.e., love propositions) that were made to her." It will be observed that Lenet says no word about any friendship for the Marquis de Gouville. Indeed, we hear nothing about him. No doubt he was taking his part in the huge mad dance in some part of it far away from the *set* in which his wife was figuring.

The charming young marquise had confided to Lenet, while they were still at Chantilly, the passion that Boutteville, afterwards the Duc de Luxembourg, and the Chevalier de Gramont, had felt for her the preceding winter; and now, with the same charming *naïveté*, she confessed that all four of their late visitors had made propositions to her, "during the two days" they had remained in the house with her." She confessed that she found De Clermont clever, De Lorges tender, and Guिताud amiable and gallant. But De Meille did not please her. "Indeed he was not generally liked," adds Lenet, excusing his beautiful young friend. The tone in which he moralizes the anecdote with the tribute of a sigh to the transient nature of all human things is delicious: "They were all four friends," he says, "and of the same age. They became rivals without knowing it. And they all took their departure on the 27th, each believing that his passion had been favorably listened to!"

And the young beauty was only eighteen! Truly all that the conspirator-lawyer, her confidant, says of her talent and cleverness must have been well deserved!

In relating this anecdote Lenet excuses himself for not describing the beauty of the Marquise de Gouville at greater length, by telling us that he could not have refrained from doing so, had it not been that all his heart was occupied by another, "who at that time was the cause of all his joys and all his pains." This object of the elderly married lawyer's affections was that Mademoiselle "Gerbier" (could the name

have been Gambier?) whom they had left at Chantilly charged with the duty of counterfeiting the princess and deceiving Du Vouldy, which she discharged to such perfection. "She was an English girl," continues Lenet, "full of talent and amiability; a brunette, with a charming and graceful figure, brilliant eyes, a lovely mouth, and a ready and quick wit. I had let her know what I felt for her ever since we were at Saint-Germain together. I began my intimacy with her by teaching her Italian."

Whether Madame Lenet, left with the children in the dull town of Dijon, may have had any notion that there was anything objectionable in the fact that the young English maid-of-honor was the cause of all her husband's joys and pains, is not so clear. But it is abundantly evident that the respectable magistrate himself, with his fifty years or thereabouts on his shoulders, had not the remotest notion, either that he should not have made love to the young lady, or even that there was any reason for not letting all the world know it!

Those days at Montrond were, no doubt, more exciting as the plot thickened and Lenet's schemes drew nearer to their *dénouement*; but they could hardly have been so delightful (unless to La Gouville) as those quieter days amid the lovely gardens and woods of Chantilly. Like them, however, the Montrond episode came quickly to its end; and the princess found herself called on to make another moonlight flitting. On the 8th of May it was decided that things were sufficiently advanced to make it desirable that the princess should show herself among her friends in the disaffected province of Guienne. And then the intrigues of Lenet and Condé's other friends produced their fruit in the rebellion of Bordeaux and the siege of that city by the forces of the court. The siege was successful; and yet was so only in such measured degree, like so many others of the struggles of that day, that the upshot was that Mazarin found himself obliged to give the princes their liberty.

But from the time the standard of revolt was raised at Bordeaux, the sequel of the story was enacted on a stage and on a scale that make it a part of the general history of France, to be read in the pages of all the historians.

* This seems in contradiction with the before-mentioned rule of twenty-four hours. But we must suppose that this was construed so as only to forbid a second night at the château; that the gallant cavaliers were at Montrond two days and one night.

From The Cornhill Magazine.

AN APOLOGY FOR IDLERS.

BOSWELL. We grow weary when idle.

JOHNSON. That is, sir, because others being busy, we want company: but if we were idle, there would be no growing weary; we should all entertain one another.

JUST now, when every one is bound, under pain of a decree in absence convicting them of *lèse-respectability*, to enter on some lucrative profession, and labor therein with something not far short of enthusiasm, a cry from the opposite party who are content when they have enough, and like to look on and enjoy in the meanwhile, savors a little of bravado and gasconade. And yet this should not be. Idleness so called, which does not consist in doing nothing, but in doing a great deal not recognized in the dogmatic formularies of the ruling class, has as good a right to state its position as industry itself. It is admitted that the presence of people who refuse to enter in the great handicap race for sixpenny pieces, is at once an insult and a disenchantment for those who do. A fine fellow (as we see so many) takes his determination, votes for the sixpences, and, in the emphatic Americanism, "goes for" them. And while such an one is ploughing distressfully up the road, it is not hard to understand his resentment, when he perceives cool persons in the meadows by the wayside, lying with a handkerchief over their ears and a glass at their elbow. Alexander is touched in a very delicate place by the disregard of Diogenes. Where was the glory of having taken Rome for these tumultuous barbarians, who poured into the senate-house, and found the fathers sitting silent and unmoved by their success? It is a sore thing to have labored along and scaled the arduous hilltops, and when all is done, find humanity indifferent to your achievement. Hence physicists condemn the unphysical; financiers have only a superficial toleration for those who know little of stocks; literary persons despise the unlettered; and people of all pursuits combine to disparage those who have none.

But though this is one difficulty of the subject, it is not the greatest. You could not be put in prison for speaking against industry, but you can be sent to Coventry for speaking like a fool. The greatest difficulty with most subjects is to do them well; therefore, please to remember this is an apology. It is certain that much may be judiciously argued in favor of diligence; only there is something to be said against it, and that is what, on the present occasion, I have to say. To state one

argument is not necessarily to be deaf to all others, and that a man has written a book of travels in Montenegro, is no reason why he should never have been to Richmond.

It is surely beyond a doubt that people should be a good deal idle in youth. For though here and there a Lord Macaulay may escape from school honors with all his wits about him, most boys pay so dear for their medals that they never afterwards have a shot in their locker, and begin the world bankrupt. And the same holds true during all the time a lad is educating himself, or suffering others to educate him. It must have been a very foolish old gentleman who addressed Johnson at Oxford in these words: "Young man, ply your book diligently now, and acquire a stock of knowledge; for when years come upon you, you will find that poring upon books will be but an irksome task." The old gentleman seems to have been unaware that many other things besides reading grow irksome, and not a few become impossible, by the time a man has to use spectacles and cannot walk without a stick. Books are good enough in their own way, but they are a mighty bloodless substitute for life. It seems a pity to sit, like the Lady of Shalott, peering into a mirror, with your back turned on all the bustle and glamor of reality. And if a man reads very hard, as the old anecdote reminds us, he will have little time for thought. If you look back on your own education, I am sure it will not be the full, vivid, instructive hours of truancy that you regret; you would rather cancel some lack-lustre periods between sleep and waking in the class. For my own part, I have attended a good many lectures in my time. I still remember that the spinning of a top is a case of kinetic stability. I still remember that emphysepsis is not a disease, nor stillicide a crime. But though I would not willingly part with such scraps of science, I do not set the same store by them as by certain other odds and ends that I came by in the open street while I was playing truant. This is not the moment to dilate on that mighty place of education, which was the favorite school of Dickens and Balzac, and turns out yearly many inglorious masters in the science of the aspects of life. Suffice it to say this: if a lad does not learn in the streets, it is because he has no faculty of learning. Nor is the truant always in the streets, for if he prefers, he may go out by the gardened suburbs into the country. He may pitch on some tuft of lilacs over a burn,

and smoke innumerable pipes to the tune of the water on the stones. A bird will sing in the thicket. And there he may fall into a vein of kindly thought, and see things in a new perspective. Why, if this be not education, what is? We may conceive Mr. Worldly Wiseman accosting such an one, and the conversation that should thereupon ensue:—

"How now, young fellow, what dost thou here?"

"Truly, sir, I take mine ease."

"Is not this the hour of the class? and should'st thou not be plying thy book with diligence, to the end thou mayest obtain knowledge?"

"Nay, but thus also I follow after learning, by your leave."

"Learning, quotha! After what fashion, I pray thee? Is it mathematics?"

"No, to be sure."

"Is it metaphysics?"

"Nor that."

"Is it some language?"

"Nay, it is no language."

"Is it a trade?"

"Nor a trade neither."

"Why, then, what is't?"

"Indeed, sir, as a time may soon come for me to go upon pilgrimage, I am desirous to note what is commonly done by persons in my case, and where are the ugliest sloughs and thickets on the road; as also, what manner of staff is of the best service. Moreover, I lie here, by this water, to learn by root-of-heart a lesson which my master teaches me to call peace, or contentment."

Hereupon Mr. Worldly Wiseman was much commoved with passion, and shaking his cane with a very threatening countenance, broke forth upon this wise: "Learning, quotha!" said he; "I would have all such rogues scourged by the hangman!"

And so he would go his way, ruffling out his cravat with a crackle of starch, like a turkey when it spreads its feathers.

Now this, of Mr. Wiseman's, is the common opinion. A fact is not called a fact, but a piece of gossip, if it does not fall into one of your scholastic categories. An inquiry must be in some acknowledged direction, with a name to go by; or else you are not inquiring at all, only lounging; and the workhouse is too good for you. It is supposed that all knowledge is at the bottom of a well, or the far end of a telescope. Sainte-Beuve, as he grew older, came to regard all experience as a single great book, in which to study for a few years ere we go hence; and it seemed all one to him whether you should read in

chapter xx., which is the differential calculus, or in chapter xxxix., which is hearing the band play in the gardens. As a matter of fact, an intelligent person, looking out of his eyes and hearkening in his ears, with a smile on his face all the time, will get more true education than many another in a life of heroic vigils. There is certainly some chill and arid knowledge to be found upon the summits of formal and laborious science; but it is all round about you, and for the trouble of looking, that you will acquire the warm and palpitating facts of life. While others are filling their memory with a lumber of words, one-half of which they will forget before the week be out, your truant may learn some really useful art: to play the fiddle, to know a good cigar, or to speak with ease and opportunity to all varieties of men. Many who have "plied their book diligently," and know all about some one branch or another of accepted lore, come out of the study with an ancient and owl-like demeanor, and prove dry, stockish, and dyspeptic in all the better and brighter parts of life. Many make a large fortune, who remain underbred and pathetically stupid to the last. And meantime there goes the idler who began life along with them — by your leave, a different picture. He has had time to take care of his health and his spirits; he had been a great deal in the open air, which is the most salutary of all things for both body and mind; and if he has never read the great book in very recondite places, he has dipped into it and skimmed it over to excellent purpose. Might not the student afford some Hebrew roots, and the business man some of his half-crowns, for a share of the idler's knowledge of life at large, and art of living? Nay, and the idler has another and more important quality than these. I mean his wisdom. He who has much looked on at the childish satisfaction of other people in their hobbies, will regard his own with only a very ironical indulgence. He will not be heard among the dogmatists. He will have a great and cool allowance for all sorts of people and opinions. If he finds no out-of-the-way truths, he will identify himself with no very burning falsehood. His way takes him along a by-road, not much frequented, but very even and pleasant, which is called Commonplace Lane, and leads to the Belvedere of Commonsense. Thence he shall command an agreeable, if no very noble prospect; and while others behold the east and west, the devil and the sunrise, he will be contentedly aware of a sort of

morning hour upon all sublunary things, with an army of shadows running speedily and in many different directions into the great daylight of eternity. The shadows and the generations, the shrill doctors and the plangent wars, go by into ultimate silence and emptiness; but underneath all this, a man may see, out of the belvedere windows, much green and peaceful landscape; many firelit parlors; good people laughing, drinking, and making love, as they did before the flood or the French Revolution; and the old shepherd telling his tale under the hawthorn.

Extreme *busyness*, whether at school or college, kirk or market, is a symptom of deficient vitality; and a faculty for idleness implies a catholic appetite and a strong sense of personal identity. There is a sort of dead-alive, hackneyed people about, who are scarcely conscious of living except in the exercise of some conventional occupation. Bring these fellows into the country, or set them aboard ship, and you will see how they pine for their desk or their study. They have no curiosity; they cannot give themselves over to random provocations; they do not take pleasure in the exercise of their faculties for its own sake; and unless necessity lays about them with a stick, they will even stand still. It is no good speaking to such folk: they *cannot* be idle, their nature is not generous enough; and they pass those hours in a sort of coma, which are not dedicated to furious moiling in the gold-mill. When they do not require to go to the office, when they are not hungry and have no mind to drink, the whole breathing world is a blank to them. If they have to wait an hour or so for a train, they fall into a stupid trance with their eyes open. To see them, you would suppose there was nothing to look at and no one to speak with; you would imagine they were paralyzed or alienated; and yet very possibly they are hard workers in their own way, and have good eyesight for a flaw in a deed or a turn of the market. They have been to school and college, but all the time they had their eye on the medal; they have gone about in the world and mixed with clever people, but all the time they were thinking of their own affairs. As if a man's soul were not too small to begin with, they have dwarfed and narrowed theirs by a life of all work and no play; until here they are at forty, with a listless attention, a mind vacant of all material of amusement, and not one thought to rub against another, while they wait for the train. Before he was breeched,

he might have clambered on the boxes; when he was twenty he would have stared at the girls; but now the pipe is smoked out, the snuff-box empty, and my gentleman sits bolt upright upon a bench, with lamentable eyes. This does not appeal to me as being success in life.

But it is not only the person himself who suffers from his busy habits, but his wife and children, his friends and relations, and down to the very people he sits with in a railway carriage or an omnibus. Perpetual devotion to what a man calls his business, is only to be sustained by perpetual neglect of many other things. And it is not by any means certain that a man's business is the most important thing he has to do. To an impartial estimate it will seem clear that many of the wisest, most virtuous, and most beneficent parts that are to be played upon the theatre of life are filled by gratuitous performers, and pass, among the world at large, as phases of idleness. For in that theatre, not only the walking gentleman, singing chambermaids, and diligent fiddlers in the orchestra, but those who look on and clap their hands from the benches, do really play a part and fulfil important offices towards the general result. You are no doubt very dependent on the care of your lawyer and stockbroker, of the guards and signalmen who convey you rapidly from place to place, and the policemen who walk the streets for your protection; but is there not a thought of gratitude in your heart for certain other benefactors who set you smiling when they fall in your way, or season your dinner with good company? Colonel Newcome helped to lose his friend's money; Fred Bayham had an ugly trick of borrowing shirts; and yet they were better people to fall among than Mr. Barnes. And though Falstaff was neither sober nor very honest, I think I could name one or two long-faced Barabbases whom the world could better have done without. Hazlitt mentions that he was more sensible of obligation to Northcote, who had never done him anything he could call a service, than to his whole circle of ostentatious friends; for he thought a good companion emphatically the greatest benefactor. I know there are people in the world who cannot feel grateful unless the favor has been done them at the cost of pain and difficulty. But this is a churlish disposition. A man may send you six sheets of letter-paper covered with the most entertaining gossip, or you may pass half an hour pleasantly, perhaps profitably, over an

article of his; do you think the service would be greater, if he had made the manuscript in his heart's blood, like a compact with the devil? Do you really fancy you should be more beholden to your correspondent if he had been damning you all the while for your importunity? Pleasures are more beneficial than duties because, like the quality of mercy, they are not strained, and they are twice blest. There must always be two to a kiss, and there may be a score in a jest; but wherever there is an element of sacrifice, the favor is conferred with pain, and, among generous people, received with confusion. There is no duty we so much underrate as the duty of being happy. By being happy, we sow anonymous benefits upon the world, which remain unknown even to ourselves, or when they are disclosed, surprise nobody so much as the benefactor. The other day, a ragged, barefoot boy ran down the street after a marble, with so jolly an air that he set every one he passed into a good humor; one of these persons, who had been delivered from more than usually black thoughts, stopped the little fellow and gave him some money with this remark: "You see what sometimes comes of looking pleased." If he had looked pleased before he had now to look both pleased and mystified. For my part, I justify this encouragement of smiling rather than tearful children. I do not wish to pay for tears anywhere but upon the stage; but I am prepared to deal largely in the opposite commodity. A happy man or woman is a better thing to find than a five-pound note. He or she is a radiating focus of good-will; and their entrance into a room is as though another candle had been lighted. We need not care whether they could prove the forty-seventh proposition; they do a better thing than that, they practically demonstrate the great theorem of the livableness of life. Consequently, if a person cannot be happy without remaining idle, idle he should remain. It is a revolutionary precept; but, thanks to hunger and the workhouse, one not easily to be abused, and, within practical limits, it is one of the most incontestable truths in the whole body of morality. Look at one of your industrious fellows for a moment, I beseech you. He sows hurry and reaps indigestion; he puts a vast deal of activity out to interest, and receives a large measure of nervous derangement in return. Either he absents himself entirely from all fellowship, and lives a recluse in a garret, with carpet slippers and a leaden inkpot;

or he comes among people swiftly and bitterly, in a contraction of his whole nervous system, to discharge some temper before he returns to work. I do not care how much or how well he works, this fellow is an evil feature in other people's lives. They would be happier if he were dead. They could easier do without his services in the Circumlocution Office, than they can tolerate his fractious spirits. He poisons life at the well-head. It is better to be beggared out of hand by a scapegrace nephew, than daily hag-ridden by a peevish uncle.

And what, in God's name, is all this pother about? For what cause do they embitter their own and other people's lives? That a man should publish three or thirty articles a year, that he should finish or not finish his great allegorical picture, are questions of little interest to the world. The ranks of life are full; and although a thousand fall, there are always some to go into the breach. When they told Joan of Arc she should be at home minding women's work, she answered there were plenty to spin and wash. And so, even with your own rare gifts! When nature is "so careless of the single life," why should we coddle ourselves into the fancy that our own is of exceptional importance? Suppose Shakespeare had been knocked on the head some dark night in Sir Thomas Lucy's preserves, the world would have wagged on better or worse, the pitcher gone to the well, the scythe to the corn, and the student to his book; and no one been any the wiser of the loss. There are not many works extant, if you look the alternative all over, which are worth the price of a pound of tobacco to a man of limited means. This is a sobering reflection for the proudest of our earthly vanities. Even a tobacconist may, upon consideration, find no great cause for personal vainglory in the phrase; for although tobacco is an admirable sedative, the qualities necessary for retailing it are neither rare nor precious in themselves. Alas and alas! you may take it how you will, but the services of no single individual are indispensable. Atlas was just a gentleman with a protracted nightmare. And yet you see merchants who go and labor themselves into a great fortune and thence into the bankruptcy court; scribblers who keep scribbling at little articles until their temper is a cross to all who come about them, as though Pharaoh should set the Israelites to make a pin instead of a pyramid; and fine young men who work themselves into a decline, and are driven off

in a hearse with white plumes upon it. Would you not suppose these persons had been whispered, by the master of the ceremonies, the promise of some momentous destiny? and that this lukewarm bullet on which they play their farces was the bull's-eye and centrepiece of all the universe? And yet if is not so. The ends for which they give away their priceless youth, for all they know, may be chimerical or hurtful; the glory and riches they expect may never come, or may find them indifferent; and they and the world they inhabit are so inconsiderable that the mind freezes at the thought.

R. L. S.

From Fraser's Magazine.

A PECULIAR HOLIDAY.

YE who are wearied with much preaching, though probably not half so weary as those who wait upon your ministrations: ye who are worn with parochial work, lying mainly among the sick and sad: listen to one just as wearied as you can be, commending to you a peculiar holiday, healthily alterative and restorative. Go for a fortnight to London.

If, when aware of brain-weariness, you betake yourself to a quiet country place, and think to rest by doing nothing among green hedges and green fields in May, where you will be environed by the stillness or the sounds of nature, let me state to you what will follow. You will utterly run down: perhaps even break down. But depart to the great city, whose characteristics will impress you about a hundred times as sharply and deeply as they do the mind of folk always abiding in it. You will cease, of necessity, from your ordinary work, but there will still be abundant provision of what will keep your mind occupied till your vital energy revives. You will be kept on your feet; and you will not merely get rest and regain strength, but you will enjoy the process of doing so. The problem for the over-driven and worn-out human being is, to get rest yet avoid the risk of quite running down when you cease to work. It is to be hoped that ordinary medical men are not as blankly ignorant of their patients' bodies as they manifestly are concerning their patients' minds. You will find such mortals sending away to the wilderness a desponding soul for whom occupation enough to prevent the mind from turning upon itself in utter misery is the absolute necessity if you would escape

insanity, or the innumerable morbid manifestations which are near of kin to insanity; and when the desponding soul grows a hundred times worse than in the season of most overwork, the idiot doctor cannot understand why. There is no darker perplexity to this writer than the fashion in which, in this world, incompetent fools are entrusted with the charge of the human soul and body, in youth, manhood, and age.

Then there are green trees in London in May: very green indeed. And there are great expanses of green grass. The vast city has its ruralities. There is more verdure to refresh the eyes and the heart in western London than in many country places. And there are country places where large proprietors of land, some of them without the smallest just title to estates which ancestral robbers stole from the Church (which means from the poor), do all they can to restrict the poor man's walk to the queen's highway. There are districts where the strip of turf bordering the public road is pretty nearly the only turf on which the poor may set their feet, without incurring the risk of prosecution according to law: law made by the rich for the rich and against the poor; and not quite unfrequently administered by the rich for the rich and against the poor. Let there be no dishonest pretence either by the rich or their janissaries that this is not so. It is fact: as apparent as that two and two make four. But in London there is turf to walk on; and trees to look at without a park fence intervening. There, too, these things are more enjoyed by a good deal than in the country, in regions where green is a drug, and grass and trees grow wearisome. To some folk, the writer means: never to him. He has been aware of a feeling sorrowfully approaching to being tired of the sea, perpetually before his eyes through the largest part of his life: but never of green grass, never of green trees, never of daisies nor primroses. When these things pall, the writer will understand that it is time to retire from being (what some folk call) a public instructor. But, as matter of fact, a little of a thing sometimes impresses you more than a great deal of it. As the light through the chinks of the shutters when we were children was so incomparably and incomprehensibly brighter than the blank daylight when the shutters were thrown wide, so is the green of London greener than the verdure of rural scenes. It seems so, that is. And feeling is the great fact. Neither you nor I know what

anything is in fact. But we know how the thing presents itself to us. And to us, that is what it is.

Yes, occupation, and verdure: these two necessities of life in May abound in great London. The occupation is for each one's own liking. It has occasionally been observed, that one man's meat is another man's poison. And that which is food, wholesome and sufficiently spiced, to some mortals, would be very flavorless to others. Exeter Hall, with the gatherings called *May meetings*, has many charms for some. It fails to attract me. The writer never was present at a May meeting: never intends to be present at one. Doubtless it arises through his lack of discernment; but rarely has he glanced at the report in the newspaper of any such assemblage's proceedings, without feeling impelled to cry aloud, in phrase analogous to that in which Egyptians cry their flowers and fruits, "Eloquence of Exeter Hall, O humbug!" Let those educated to the degree of enjoying these manifestations bear with a brother to whom it suffices to walk the Strand and look in at the shop windows: to drive in the rapid hansom: to explore all suburban lines of railway: daily to spend a space in Westminster Abbey, sometimes at service, sometimes not: to look into the courts of justice, at Westminster Hall, at Lincoln's Inn, not unfamiliar; and to penetrate every nook of the Temple, known long ago: to attend church at least twice daily: and on Sundays to listen, with equal sympathy and pleasure, to a sermon from Dean Church, Dean Stanley, and Bishop Thorold; believing that each good man has his message to convey, which will find the soul for which it was intended; and that the truth, from all, is probably completer than from any. Then the streets; the passing crowd; the deep sympathy with which the stranger looks on the units which make it, each going its own way, each with something quite peculiar in its own case: a sympathy which use must needs dull in the dweller among crowds. And the healthful assurance of the insignificance of the individual, unless you be a great man like Mr. Gladstone. Living in a little place, with much depending upon you in the respect of duty and otherwise, you tend to grow like the Highlander in the Clyde steamer who fancied "the boat wad coup" if he had not somehow balanced it. *Coup*, let the Saxon know, means *overturn*. It is not you that keep things from *couping*, anywhere. And to be assured of *that* is, to one in middle age or past it, not

a humbling, but a great relief. And when mutations and revolutions come in human ways of thinking or feeling, the great afflatus is felt by many souls simultaneously, far apart, and without communication. The tide does not rise in the quiet ocean, because you have (as you fancy) made it rise a few inches in your own little creek. At least, if you are in any degree to affect the thinking and feeling of some considerable portion of mankind for some considerable length of time, you must be a man like Mr. Carlyle, or Dr. Newman, or Dr. Arnold. Even Mr. Ruskin has been rather effect than cause. And, with all due admiration and affection for Mr. Froude, I really believe the practical upshot of much of his work has been to stir up vehement antagonism. Let not our race be likened to the swinish multitude. But some drivers develop in either animal a determination to go the other way. Finally, though an eerie feeling of loneliness creeps, in London streets, over the stranger in them who at home is well known by everybody who daily sees him, yet there is comfort too in that being lost in the crowd. It is rather a weary thing to live under the microscope. And there are little country towns where you do so. There are no big folk, and little folk bulk conspicuously. To such, it is pleasant to get where no one knows them, nor cares a brass farthing what they say or do. If you want to hide yourself in a hole, the place to do so is doubtless London. And yet, on the other hand, it is curious how on the streets, at church, at picture-galleries, and in other places unnecessary to name, you drive up against your countrymen from distant solitudes. It is inexpedient to go to places where it would be inconvenient that you should be recognized. Somebody will spot you. Fifty years since, when most of the good folk in Scotland esteemed going to the theatre as entirely analogous to going to destruction, a popular Edinburgh preacher, being in London, was surreptitiously entering with the multitude into the pit at Drury Lane. Suddenly a hand was laid upon him, and an awe-stricken voice said: "Oh Doctor MacGrugar, what would the congregation in the Tolbooth Kirk say if I told them I saw you here?" But the good divine was of ready wit, and he rose to the occasion. "Deed," he replied, "they wadna believe you, and so ye needna tell them."

If it be painful effort to go away for a little holiday, this is a specially strong proof how much the little holiday is

needed. Do not shrink, but pack up and go.

Shrinking and shrinkage do not mean the same thing any more than illegible and unreadable. A manuscript by the Dean of Westminster or by Mr. Froude, though illegible in a high degree, would never be unreadable. A published sermon by Dr. MacTattle, published at the earnest request of his wife and her two or three friends (at MacTattle's own risk), though printed in clear type on good paper and so perfectly legible, would be wholly unreadable by any one but MacTattle himself.

Shrinking is the feeling of a stay-at-home man, trying to brace himself up to the effort of going away from home for a brief holiday. The holiday may be much needed, and long looked for: yet when the time comes close, you would rather stay where you are. Beyond mere inertia, you are vaguely afraid. The great outer world is a savage waste, peopled by enslaving and destroying monsters. Shrinkage is the process which passes on the rental of a great estate, in its procession through various hands from the tenant-farmer to the duke: also on a fortune left you, let us say of fifty thousand pounds, from which many deductions will be made ere it reach your eager hands: also upon securities of what kind soever which you have bought and want to sell, in most cases; notably on the value of a horse, which you drove under the impression that he was worth seventy pounds, but which in fact brings no more than forty. Shrinkage, in fine, is the converse of the *unearned increment*: it is the undeserved and unexpected decrement.

The discipline needful to deliver you from shrinking is to be authoritatively compelled to do the thing you shrink from. When the youthful divines whom our little university educates, on first taking orders convey to one how much afraid they are of preaching in the parish church, I have but one prescription for them: Go and do it! Though the thing may remain trying in fact, it will be much less trying than in anticipation. Make a man boldly face what he is afraid of, and the thing will in great measure lose its fearfulness. In old days, if a horse shied habitually when it met the rattling and pulse-quickenning four-horse coach which was the link between rural bridges and cottages and the distant hum of men, you put the horse to run in the coach for ten days. At the end of that period, the horse was disillusioned: it heeded not the

coach any more. *Et in Arcadia ego.* So the mental process might be expressed. Or, as the beadle said to the archbishop, "*I'm frae Doaller.*"

Let me briefly explain these last words, which to the ordinary understanding may appear incomprehensible. We shall with better prospect of success proceed to their consideration, if the circumstances are related in which they were spoken. The profoundest intellect, aided by long experience of human life, would fail (it may be said with some confidence) to grasp the sense unless helped by information *ab extra*. As the Cockney tourist remarked to the Highlander who addressed him in Gaelic, "*Some explanation will be necessary.*"

Neither will reasonings from analogy avail; though such are helpful. Once upon a time, the writer had to examine certain students. The examination was in writing. One question set was: "Explain the meaning of the word *Analogy*; and briefly state the scope of Bishop Butler's '*Analogy of Religion*.'" One written answer, long treasured as of remarkable interest and value, was in these words: "*Analogy is a method which is used to investigate subjects which is found to be difficult.*" But though the subject be difficult, analogy avails not here.

In the Cathedral Church of Canterbury, the metropolitan church of the Anglican communions it befel that the present wise and good primate, soon after his elevation, took part in a stately service. A procession of clergy went before, entering church, duly robed; and at its close (for humility is the virtue of the Church, and the first comes last) came the archbishop. He approached his throne, and was about to step up to it: when a verger, or beadle, who had preceded his Grace carrying a poker, suddenly drew near to him, as one with a message which he was charged to impart. The archbishop paused and listened. The words came: "*Ah, my loard, naething like this in Scotland. I'M FRAE DOALLER.*"

Thus did the brother Scot claim kindred: thus express his share in the archbishop's dignity. For the archbishop, too, comes frae Doaller. The little town of Dollar, in the euphonious county of Clackmannan, is capital of the rural region whence originates the race of Tait. And the verger thus said to the primate: We understand each other. We know the kind of ecclesiastical functions which are common at Doaller, so different from those familiar here. Are not we two

Scots impressing the simple-minded Saxon? For though the people of Doaller would have looked with awakened curiosity at that fair procession, I doubt whether they would have been deeply impressed thereby. The verger's inner thought appears to have been, "I share your triumph: *Et in Arcadiâ ego*: I'm frae Doaller, like yourself."

It has indeed been suggested that the verger was not a sympathetic brother, but rather a cynic: and that his words are to be understood as serving the like purpose as the skeleton at the ancient feast. He may have wrongly fancied that he discovered undue exaltation of spirit in the eminent prelate; and been anxious to take him so far down by suggesting that if all these dignified surroundings impressed the English crowd, there was one present whose antecedents made it certain that he at least would not be overwhelmed by them. Even had the Scottish mind been more impressionable than in fact it is by hierarchical state, the man frae Doaller could never see in the primate of all England anything more than the schoolboy who used to run about in those parts in former years. And the sense of the phrase would be, "Oh, yes: overwhelm other folk with your greatness if you like; but don't fancy it goes down with me. I see through it all: I'm frae Doaller!"

To return to the severity of the argument, somewhat lost in this narrative, let it be said: Even as the shying horse, afraid of the sight and sound of the coach, was cured by being placed where the sight and sound would be always with him, so let the timid, apprehensive soul be sent into the greatest of great cities. Let him go where the voice of Big Ben will grow familiar: let him look out on the western towers of the great Abbey, just across the street: let the roar of the crowded ways be always in his ear. Just at first, the surroundings will keep him in a slight fever. But this is better than breaking down utterly amid golden broom, amid pink and white blossoms. And he will feel, as days go by, that he is getting much more out of all these things that surround him, than many do. There are folk who have seen so much and travelled so far, that they do not mind much about anything; the flavor of things in general has grown faint; and it takes something very highly spiced to awaken the indurated sensibility. But there are simpler souls to whom it is never other than a very strange experience to sit by a window in the gathering darkness, and to discern, high in the air, a

blaze of gas borne up by a great tower: that blaze signifying that within two hundred yards of where you sit there is a glaring and stuffy chamber of moderate size, in these times commonly overcrowded; wherein every word said that is worth notice, and some words not worth any notice, are eagerly written down, and put in print, and read anxiously wherever the English language is known. For the chamber is the House of Commons: where many men, big in their own little locality, look awfully small. James the First told the Scotch nobility who ran after him to London, that they had better have stayed at home; for that a little boat, which looked big on a little river, dwindled into insignificance upon the wide sea.

Then, quite apart from anything like unbecoming selfishness, and millions of miles away from any depreciation of others, there is something very strange and striking about one's own experience; and one's own case is always quite a special case. Each of us knows what difficulties he has had to face, with what modest faculties and by what hard work: knows that it is a wonder he has done what he has done and is where he is. Sensible men, in the writer's observation, commonly think very modestly of themselves in comparison with others. The wise man, in the depths of his nature, sometimes fears that if all the truth came out, it would appear in a fashion very sorrowful for himself *who is the greatest fool*. Yet a poor thing, which is one's own, can never cease to be wonderful to the healthy mind. Sir Arthur Helps (Ah, there is no need to make any mystery of the always-open secret of the name now!) tells us in one of his wise and helpful books of a certain old lady who had saved her money by such long pinching, who felt that it had cost her so much, that she honestly believed that five pounds given by her were equal to about seven pounds ten shillings and sixpence from any other person. Yes, it was her own: not but that there was force in the other reason too. But the truth is that five pounds from any ordinary human being, not a merchant prince nor a territorial magnate, is worth even more than the larger sum indicated by Sir Arthur's old lady. We pitch our expression of all human feeling, of all human experience, a great deal too low. Let each mortal remember, that such and so touching and serious as is his own experience to him, is every other mortal's experience to the other mortal. We must always except those exalted intelligences that write cyn

ical articles in cynical newspapers. Anything human is far beneath their sympathy: beneath their notice. Silly bodies! But, for the human race as it is, the reality of feeling cannot be exaggerated by any human words. A man's own little means, hardly earned, are to him of more account than all the national debt: and his own history is much more to him than is Sir A. Alison's "History of the French Revolution." If it is not more than Mr. Carlyle's, it is because he reads so great a part of his own history *there*. A lively American writer tells us with frankness the feeling with which he read his first published book. "I never," says he, "read a more interesting volume." But there is a book more interesting than one's first published work. There is a book often looked into by persons who morbidly shrink from ever glancing into their own published books. It is a man's diary. As years go on, the solemnity, the pathos, the interest of that work grow beyond words. For, indeed, it is the history of the world, the human race, of the universe seen and unseen, as these have become known to its writer.

Let a suggestion here be made, not closely akin to anything just stated, but seasonable at all times, manifestly fair and just, generally forgotten, and by many folk much needed.

My friend Smith (the same man who used to drive the drag) lately addressed me in words to this effect.

There was a man (said he) whom I admired and liked, and whom I had tried to serve in many and divers ways. I found that this individual had taken to steadfastly running me down whenever I was named in his presence. I felt aggrieved and angry. I thought I was ill-used. Whoever depreciated me (said Smith) it ought not to have been that particular mortal. But, on longer thought, I perceived that I had no reason to be angry. The feeling on my part was unphilosophical as well as uncharitable. My friend was overworked and ill. He needed the restorative holiday amid green fields. And a certain consequence of being overworked and ill is, that you become incapable of enjoying anything. The beauties of nature have no attraction. You do not care at all about the fresh primroses and blossoms, nor about the lengthening light in spring. You are sick of green grass, and you hate the sight of the sea. Well, when a man gets into that state, in which he undervalues all nature, and fails to appreciate

it, and runs it down, going even to the length so touchingly delineated by Mr. Theodore Martin; of "Cursed be the whole concern,"—you are sorry for him. He has got into a morbid state: he will get out of it; and then he will duly appreciate nature once more: enjoy it and think well of it and praise it. Now remember, you are a part of nature. You are a fraction of the universe. You are one of all things. And when your friend, being ill, is weary of the sun, and sick of things in general, of course he is weary and sick of you among the rest. And very likely he says so. He hates your sermons, he cannot read your leading articles, he thinks your talk wretched balderdash. This is simply because you have gone down in his estimation along with everything else. When he gets all right again, you will go up along with everything else. You cannot expect to be an exception to the law which affects all that exists. The jaundiced eye that sees all the universe yellow, sees you yellow too. The weary heart that is sick of everything is sick of you among all the rest. You have no more reason (said Smith) to be angry with Brown for running you down, when he is ill, than at his failing, when ill, to appreciate and enjoy all nature. It is just that he is out of sorts with everything, including you. But you have foolishly and unreasonably expected that the man who meanwhile (through his misfortune not his fault) can do justice to nothing in God's universe, is yet to do justice to you.

Now, friendly reader, the suggestion was a novel one. I had never heard nor thought of it before. But it is plainly just. Let us all act upon it. It was always plain enough that you have no right to complain of the individual mortal, bound to you by no ties of personal regard, disliking you and your doings. His Creator made him so that he cannot like you and your doings. And he is quite entitled to civilly say so, or even uncivilly. But when the man you held as your friend attacks you, the case is one only for your kindly sympathy. The entire universe of things is at a discount, and you with all the rest. Your friend is out of sorts, and being sick of everything is of course sick of you. Let him go for a fortnight's rest to London in May. And then you, one amid a thousand other objects, will brighten into beauty. That is to say, you will look as beautiful as you really are, and a little more. This is all you can desire.

All this is strongly borne in upon the writer, by the diligent perusal of a very

extraordinary little work, lately printed for private circulation in Scotland, under the title "Portraits in Pitch." I have often regretted that English folk generally, knowing little and caring less about Scotch ecclesiastical affairs, cannot in any way appreciate some of the smartest and cleverest fugitive pieces published in Scotland. To enjoy these pieces, it is necessary to familiarly know facts and individuals quite unknown to most educated Englishmen. Even works of so substantial a character as the biographies of Doctor Robert Lee and Dr. Norman MacLeod have suffered from Anglican indifference to Scotch Churchism. The English reader might see the volumes were interesting, but how interesting he could not quite know. Still more is the case so in regard to the lighter and more playful productions, whether in verse or prose, which treat of Scotch clerics and their doings. A wonderfully clever little publication pointing out the dangers to Protestantism attending the use of optical instruments in the public worship of God, which provoked many hearty laughs north of the Tweed, would be simply unintelligible unless to persons who had read the reports of the proceedings of various Church courts in Scotland. So with these "Portraits in Pitch." They delineate several conspicuous ecclesiastics with much freedom. But how can those who never saw the faces know whether the portraits are like? And what shall be said as to such as don't care in the least whether the portraits of such individuals are like or not? It is, however, the writer must confess, the ill-nature as much as the smartness of these "Portraits" which gives them their interest. Their author must have greatly needed a holiday at the period when they were composed. The entire outlook is gloomy. There is plainly something far amiss about the digestion and the nerves of any Scot who could describe the venerable General Assembly of the National Church in such lines as the following:—

There was a Right Reverend body,
That was said to be fond of its toddy:
When it met once a year,
Its proceedings were queer,
And seemed as inspired by Tom Noddy.

Mr. Lear's charming "Book of Nonsense" has evidently supplied the model upon which the "Portraits in Pitch" have been studied. And if the rhymes be disrespectful, and even scurrilous, the accompanying illustrations are so much more so, that their author has probably been well

advised in restricting the circulation of his present work. Not all the persons freely handled in it might rival the charity of my friend Smith. And though the writer is unknown, the publishers might be made answerable. I confess that it would be pleasant to me to quote the severe but just descriptions of two or three blatant, vulgar, and offensive speakers in the General Assembly. But it is not worth while. And the persons possibly indicated by the names of Peerie and MacTattle shall not be illustrated on this page. It may be remarked, however, that the author of these "Portraits," though probably a poet, has been proved by facts not to be a prophet. One verse runs thus:—

There was a good Christian named Wallace,
Whose language would sometimes appal us:
But still in the fight
He stood up for the right,
And to victory some day will call us.

The writer of these lines, plainly a Broad Churchman, thus forecasts the approaching triumphs of his party, and describes its most brilliant leader. But this good Christian, to the great regret of many who are far from sharing his views, has turned aside from the paths of ecclesiastical duty and controversy. After filling, with much distinction, a theological chair in the University of Edinburgh, as also the pulpit of a historic Edinburgh parish church, and having last May been beyond all comparison the ablest and most brilliant debater in the General Assembly, he suddenly cast his Church preferment aside, and entered a quite different "sphere of usefulness," where no doubt there is room for all his talents. I remember hearing a popular London preacher say, years ago, that if the apostle Paul were living in England now, the office he would covet would not be that of Archbishop of Canterbury, but rather that of editor of the *Times*. If that eminent preacher be right, it may be believed that the apostle, living in Scotland, would prefer the work of conducting the *Times* of that country to the moderatorship of the General Assembly. Whether St. Paul would make a good editor or not may be doubtful. As for the success of Dr. Wallace, there can be no doubt at all. But the loss of debating power is great. Not even the brilliant and pathetic eloquence of Principal Tulloch, nor the calm, incisive, provocative anatomizing of Dr. Story, nor the downright manliness of Dr. Phin, seems to fit time and place quite so perfectly as did the ever-ready word of the lost leader. It may be said, confidently,

that any one of the four would take high place in the House of Commons. And after the vulgar insolence and vulgar clap-trap of Mr. Peerie, and the narrow and pettifogging suspiciousness of Mr. Stevenson, it was always inexpressibly refreshing when such men rose.

There is something very pleasant and very strange (to Scotch Churchmen) in the calm and impersonal fashion in which in England judgment is given even in ecclesiastical causes which have excited the keenest feeling. One morning in this May the writer heard the judicial committee of the Privy Council give judgment in a case profoundly affecting the ritual of the Anglican Church. To that council the writer went with the greatest man present there, though there sat at the board one archbishop, one chancellor, and one ex-chancellor. Sitting just behind Lord Cairns, one heard him read the judgment. You might or might not like the judgment; you might or might not feel much interested in the matters discussed; but you could not fail to remark the crystal clearness with which the lord chancellor set out what he had to say. But even more than by the clearness, one was impressed by the impersonal dispassionateness. The great lawyer set himself to ascertain and state the law. He did not, by a syllable, express any opinion, favorable or unfavorable, of the doings of the ecclesiastical persons through whose proceedings it had been made necessary to ascertain the law. Opposite him sat the Archbishop of Canterbury, with a countenance absolutely inscrutable. You could no more gather from his face how he felt on the question discussed, than a stranger could read a letter from Dean Stanley. And though Lord Selborne wore a somewhat eager look, none could tell whether it betokened approval or disapproval. So with the lesser lights, tapering off down the table. Now, I thought to myself, I know a place where I have heard judgment given in analogous cases. But there, several of the judges, instead of calmly stating the law, proceeded to abuse the ecclesiastic whose goings-on had raised the legal question. One judge stated that the individual was instigated by the devil, when he put an organ in his church, and called the congregation to kneel at prayer. Another stated that he was a perjured person, who had broken his ordination vows. Another read a malicious and stupid account of the individual's proceedings from an inferior newspaper, and then added that he did

not know whether this account was true or not. Another sketched out what he *expected* would be the future proceedings of the individual, if unchecked. Another declared that the individual (or his doings) was a foul blot on the scutcheon of the Kirk. Another stated that the individual's doings should be regarded as part of a great revolutionary movement going on all over Europe, notably in Germany. Another stated that probably the reason why the individual advocated the use of printed prayers in church was that, having in great measure given over praying in private, he had become unable to pray in public without the aid of a book. Another published a vicious pamphlet, trying to show that the individual was a Socinian. Another, in a newspaper letter, declared that the individual and his abettors got their clothes made by a London ecclesiastical tailor, no tailor in Scotland being good enough. Another declared that one of the individual's supporters had cultivated an English accent to that degree, that he recently read out as his text, "He that hath yaws to yaw, let him yaw." In the midst of all this dust, and irrelevance, and bad feeling, the plain question, whether the individual had broken the law, aye or no, was pretty well lost sight of. Finally, when the judges, numbering some hundreds, gave their votes, it was required by some members of the dominant party that the votes should be taken, not by a division, but by calling over the roll. Thus young and timid members were made to understand that they voted at their peril: some judges were asked whether they could venture to show their faces in their respective parishes if they voted in favor of the individual who introduced the Popish (pronounced *Poppish*) organ. And the writer, who though a High Churchman is an Erastian, musing on these things as the pleasant unaffected voice of the lord chancellor went on, formulated his views as follows:

1. "The mind of the Spirit" on any subject can mean nothing other than the truth and right upon that subject.

2. The truth and right upon any difficult subject is far likelier to be arrived at by dispassionate old gentlemen, accustomed to weigh arguments and evidence, and well up in the principles of law, sitting in a quiet room at eleven o'clock A.M., and not in the least afraid of being persecuted for the judgment they come to, than by a tumultuous mob of good, impulsive men, not accustomed to weigh arguments or evidence, and knowing nothing of law,

in a great hall filled with a pestilential atmosphere at three o'clock A. M., wrought upon by claptrap speeches and personal appeals, and well aware that their positions will be made too hot to hold them if they come to an exceptional or unpopular judgment.

3. The fact that the quiet old gentlemen are judges of the land, and the tumultuous mob clerics, give not the smallest reason for believing that one set is more under divine guidance than the other. The one court is precisely as spiritual, and precisely as secular, as the other. God guides all honest men: and not one set of honest men a bit more than any other set of honest men. And the notion that the "headship of Christ" is involved in standing up for the opinion of the tumultuous mob as against the opinion of the sedate old judges, appears to the writer to be rank nonsense, if such a thing there be. Any one who knows the arts by which a majority is got in a Church court; the pulling of strings; the personal considerations brought to bear; will be slow to believe that there is much of a spiritual element in its decisions. Still less will any one fancy that the "mind of Christ" is to be gathered from a snap division in such a court, who has seen the entire wisdom, scholarship, and statesmanship of the court left in the minority. And *that* has been seen, more than once or twice.

It is time to draw to an end. And indeed it is conceivable that the attentive reader may be ready to enquire with indignation if these reflections and reasons are fitted for any holiday time however peculiar. In truth, the holiday is over: the great city has been left far behind, and has of necessity faded into mistiness and unreality. Neither in mind nor in body can one be in two places at once. A year seems to have dropped out of the reckoning: the old thing has come back, and as on this day twelve months the writer looks out on a far lesser but far more beautiful city, where one has the homely sense of being at home, and is wholly delivered from the vague fright which more or less possesses the provincial soul in awful London. And how incomparably pleasanter a club is than a hotel! Through that great bay window, as heretofore, you may discern the huge rock, crowned with build- ings of inexpressible seediness; and there, on the heights, springs up the tall and graceful spire, which makes one bless the genius of Pugin. Last night, under that

spire, you might have witnessed the solemn close of the General Assembly of the Scotch Church. I do not believe that any one could witness it without being touched and impressed. The Scotch primate, the right reverend the moderator for the year, began his concluding address at one o'clock this morning. The chair was never more fairly and honorably gained, than by Dr. Phin; never more ably, impartially, or genially filled. The address, lasting three quarters of an hour, was manly, downright, and lively. The moderator achieved the difficult task of pleasing everybody worth counting, not by trimming, but by real fairness, charity, and goodness of heart. He said one or two things in which one did not agree; but he had a good right to his own opinion; there are matters as to which good and honest men must differ by their nature and training; and may well agree to differ, retaining mutual respect and affection. This brave and strong man descends from his elevation amid universal plaudits; though a man of decided convictions, which he has not concealed. It is a pleasant thing to find honesty prove the very best possible policy. Then, the moderator's address ended, last year seemed here again. The pleasant face of the Earl of Galloway, the high commissioner, looked down from the throne; and 'n due season he gave as pleasant and becoming a little speech as man could desire. Then was sung the wonderfully touching "Pray for the peace of Jerusalem," the vast volume of deep sound shaking the crowded hall. And at half past two this morning the Assembly parted, in a general thankfulness and good humor so extraordinary, that several eminent members were heard to express a hope that even Mr. Peerie might take a thought and mend.

From The Spectator.

LUX IN TENEBRIS.

"MUSIC is light in darkness." This motto, written in white lilies, red roses, and other brilliant flowers, was, from its combined truth and pathos, the first to catch the eyes, the seeing eyes, of a company invited by the Duke of Westminster "to have the honor of meeting the princess Louise," on her opening of the new music hall of the Royal Normal College and Academy of Music for the Blind, at Westow Street, Upper Norwood.

The history of this college is well known,—how one man, an American, blind from birth, humble birth too, managed, by his own untiring energy, first to educate himself, and then to found an educational institute in Boston; how, in 1871, he came over here, and started, on similar principles, a school for the blind, beginning in two small houses, with eight or ten pupils, and gradually increasing, until, within this short term of years, we find it a large institution, located in a handsome building, capable of receiving from a hundred to a hundred and twenty pupils, and counting among its patrons, from royalty downwards, the best, the most intelligent, and the most benevolent in the land. This result, regarded from the outside, would seem simply miraculous. But any student of human nature, watching the brilliant assembly which, long before the appointed hour, filled the music hall to overflowing, would recognize that the soul of it all was that little wiry man, with the thin, keen, eager face—the blue spectacles hiding the darkened eyes—who moved hither and thither with a facility and activity that almost made one doubt his blindness,—one of those men who are “raised up”—if we are to believe in providence at all—for a special and benign purpose, and who, recognizing their mission, and adding to a high impulse wise prudence and practical capacity, with, above all, the ignoring of all selfish and egotistic aims, deliberately work out their will, which is, in fact, the will of God, and therefore become what we call “successful.” And such a man is Mr. F. J. Campbell, the principal of this college.

His new music hall—which he cannot see!—is very pleasant to behold, well-proportioned, and good in coloring, though extremely simple. Evidently, that lavish and useless ornamentation which some institutions, especially charitable institutions, indulge in has been wisely avoided by Mr. Campbell. On a raised dais, with two entrances and exits, carefully railed, for the convenience of the blind performers, was the organ, presented, at a cost of one thousand guineas, by Doctor Armitage. Facing it, and hung, like it, with festoons of flowers, was the gallery, decorated with the motto before alluded to. Between, the body of the hall was filled with guests, who in that glowing July sunshine looked themselves almost like a floral parterre; and made a beautiful show,—touchingly beautiful, when one remembered not only the “light in darkness” but, alas! the

permanent darkness in the midst of all this light.

At three P.M. exactly, the “musical afternoon” commenced. A young man—J. Inglis, of Edinburgh—instituted the organ by a fugue in D minor (Bach), admirably played. Then came forward the college choir, consisting of about twelve young men and as many women, some of them mere girls, all what we call “stone-blind.” But there was nothing “stony” or even painful in their aspect. Some of the faces were almost pretty, and all had a wonderful placidity and sweetness—nay, cheerfulness. They stood—such a contrast to ordinary concert-singers—apparently as indifferent to the gaze of all these hundreds of eyes as they were to the glare of sunshine which poured down upon them, but dazzled them not. They seemed to sing, out of their quiet darkness, as happily and enjoyably as birds in a wood at dawn. Musically considered, the voices were exceptionally good in quality; true, clear, and pure in intonation, while their cultivation was fully equal to that of most “sighted” singers of similar age, both in part-songs and solos. Two pupils, Miss Campbell, of Liverpool, and Miss Maggie Reece, of Edinburgh, executed respectively Spohr’s lovely song, “The Maiden and the Bird,” with the violin obligato, and Stradella’s magnificent “Pietà, Signore!” with quartet accompaniment, in a manner that would do credit to experienced concert-singers.

Towards the end of the latter song, but entering quietly, so as not to interrupt it, came the princess Louise and her husband, and took their places by the Duke of Westminster, among the other invited guests. More music followed; a concerto of Bach’s, for three pianos, with string quartet accompaniments, in which Mr. Campbell played with his two pupils most excellently; and Sir Sterndale Bennett’s well-known quartet “God is a Spirit.” The effect of this latter, especially in the exquisite pianissimos, was quite thrilling, except for one easily remediable fault, the occasional omission of an “h,” which is especially necessary to the “Worship Him.” Otherwise, the reading as well as the vocalization of the music was, throughout the concert, remarkably good. Its finale, Gounod’s “Nazareth,” was given admirably. The clear, fresh voices, male and female, in that difficult unison which makes any fault of intonation so painfully plain, reaching in the last verse to the climax, when stringed instruments and organ all join in the triumphant fortissimo,

The night is gone ; behold, in all its glory,
All broad and bright, rises th' eternal morning
star,

all combined to produce a result really grand, and which few who have the nature to be moved by anything could listen to unmoved. After a pause of hushed silence, so impressive had the music been, her Royal Highness rose and declared "the building open ;" there was an enthusiastic singing of "God Save the Queen," a few words from the Duke of Westminster and Mr. Campbell, and the ceremony was over.

Still, for more than an hour the visitors hung about, admiring the pretty grounds and investigating different class-rooms. The favorite one appeared to be that of a blind teacher, Miss Lizzie Scott, whose circle of about a dozen boys and girls gave most valuable information to a crowd of unseen listeners upon Russia and Turkey, while a small person of ten or thereabouts, Gracie by name, described lucidly the difference between a limited and absolute monarchy. "If the sultan wants to do a thing, he just does it ; but if our queen wants to do anything, she is obliged to ask leave of her Parliament." This same little Gracie — who will make a clever woman, if not prematurely spoiled — being further questioned as to what Parliament was composed of, after a pause of great puzzlement replied, with a sudden happy thought, "Oh ! they look out for the richest man they can find, and take him in." This, if not the exact truth, was so awkwardly near it, that the aristocratic or semi-aristocratic circle around broke out into hearty laughter, which so confused poor Gracie that, like Bailey's Festus, she "shrank into herself, and was missing ever after."

In other rooms children were busy with their deft fingers — sad substitutes for eyes — running over raised maps, or reading from blank, white, embossed pages as rapidly as from printed books. All looked so thoroughly happy as to justify the statement in the principal's report that "the personal influence, the watchful care, exercised in regard to even the smallest details of every-day life, are almost parental." In fact, the chief impression given by this college for the blind is that of its atmosphere of happiness,—not merely cheerful endurance, but actual happiness. To quote again from the report, "Although the large playground is still unfinished, the broad walks around the building and on the terraces, with a fine gymnasium for the boys, afford good

facilities for physical training. During the recesses, I" [the blind principal] "often stand on the bridge which leads from the central entrance of the building, to listen to the merry voices of our boys and girls at play on every side. At the ringing of the bell, the happy groups move quickly towards the various entrances of the building. In two minutes all has changed,—the parallel-bars, climbing-ropes and ladders, whip and reins, skipping-rope, swing, and tilt, have given place to map, globe, geometrical diagrams, type-writers, tuning-hammer, piano, and organ. If the doors of the corridors leading to the various departments are opened, the three organs, the voices, and nearly fifty pianos produce a confusion of sounds that is almost bewildering ; but close the doors, and each department moves on without conflicting with any other." What a picture of a life, the necessary life of the blind, in which *sound* is all ! But yet such a happy life,—so busy, merry, and full ! How it throws into shadow hundreds of aimless, useless, melancholy lives close about us,—people, young and old, who have everything that heart can desire, or that the good hand of God can give, who sit in the sunshine and are dark still !

But to return to practical things. The advantages of the college are open, first, "to the young of either sex and of any rank," who are received as probationers for three months or less, until the principal shall be able to decide — a right which he wisely reserves to himself — whether their capacities are of such a kind as to enable them to benefit by the teaching they will here receive. If accepted, the pupils pay £50 a year until the age of thirteen, afterwards £60. This sum includes board, lodging, washing, and medical attendance, but not clothing or travelling expenses. They must be sent provided with a sufficient outfit of new and "strong" clothes, and will be expected to spend the summer vacation with parents or friends. Besides these paying pupils, there are free scholarships, the holders of which must be guaranteed by "two respectable householders." And there is a third order of pupils, for whom until now it was almost impossible to obtain a suitable education, the blind children of well-to-do parents, who are received on fitting terms, and with the advantages of an ordinary first-class boarding-school.

Those who require to earn their bread are here made capable of earning it, while those to whom fortune has been more lib-

eral, are helped to an education which makes the blind equal almost to the sighted, and enables them not only to enjoy life, but to use it, — to assist in the work of the world, instead of remaining helpless recipients, the one class of its sympathy, the other of its pecuniary charity. For Mr. Campbell's great argument, and a noble, manly one, too, is this, — "Pity us not, nor help us; only teach us how to help ourselves." How this has been done and is doing at the college in Westow Street, Norwood, those who care to see may go down any Tuesday and see for themselves. They will come away with a feeling — the best, perhaps, that we purblind, ignorant mortals can feel — that the great Father of the universe is not unjust, even though, in his mysterious purposes, he allows evil to exist, unremedied. But he also puts into the souls of some of his children that power to fight against evil, to counteract misfortune, which transmutes both into actual good, — since, as the old Greek sage believed, (how much rather should not we believe!) there is not a grander spectacle for gods and men than the sight of a strong soul enduring, combating, and conquering adversity.

From Sunday at Home.

ANCIENT MODES OF EMBALMING THE DEAD.

HERODOTUS and Diodorus tell of three modes of embalmment prevalent in Egypt. The first was very costly, answering to about £400, exclusively of such gems, jewels, and gold as love or prodigality might lavish upon the dead; the second, £60; the third within the reach of all. As to the extent to which gems and jewels were wound up in the cerecloth to deck the dead, there is the instance of the queen lately found at Thebes, whose ornaments were shown in our exhibition of 1860. They are now in the pasha's Museum. Their intrinsic value alone, that is, to break up and melt down, is several thousand pounds. It is curious in reading the two historians' accounts of the Egyptian embalmer to observe in divers matters the foreshadowing of the modern undertaker in his ways. The different degrees of woe were then as now sounded according to the depth of the purse. Just as it is now, when the furnisher will undertake for you any gradation of sorrow from the simple elm coffin and pauper funeral up to the flourish and parade of plumed hearse,

weeping mutes, and prancing steeds, so with the Egyptian. Only the manner was different. When a bereaved mourner, they tell us, went into one of these Egyptian shops, the functionaries would show him different models in wood highly and artistically finished or otherwise, to represent the mummy and coffin. There were painted patterns of mummies in their multicolored cases to choose from. The various costs, according to pattern, were then stated. The customer chose his model, and the bargain was struck. He then went home and sent back the dead body, and the body remained with the embalmer until the whole process was completed. The number of days requisite for embalming was, as we gather from both historians, seventy or seventy-two, and this tallies with the Scripture account (Gen. 1. 3); for doubtless the immediate process only occupied part of the time, the rest being given to the ritual of mourning. The processes for embalmment are related very categorically. In some things they hardly commend themselves to our present sentiment of what is respectful to the dead. The chief secret seemed to consist in certain chemicals injected into the veins and body; in certain washings and steepings in natron, and in the filling up of the cavity of the body with myrrh and other balsamic substances and spices. The brains were drawn out through the nostrils. Sometimes the face and hands were gilt. Certain jewels were laid on the breast under innumerable swathings of linen. And then a kind of pictured shell received the body — a sort of close-fitting case made to open and shut lengthwise after the fashion of a violin case. But when the mummy was sent home, what then? The family did not immediately part with it. On the contrary, they often kept their dead relative for a long while, guest in his own house. A room was set apart. The mummy, standing upright as in life, was enshrined in a kind of painted cabinet, a tabernacle starred over with innumerable hieroglyphics, and protected with great painted scarabæi and multicolored cherubim, with their overshadowing wings spread athwart the chest. Hither, then, at intervals, the family would come to hold communion with the dead. They would bring fresh lotus flowers to enwreath their silent relative, or strew about the ground blossoms of asphodel and papyrus. Numberless paintings in the tombs of Egypt picture this affecting scene, a mother and her children kneeling in circle with the dead in their midst, or a wife with plaintive face

and dishevelled hair embracing the placid-looking mummy of her husband. Listen to what Diodorus says: "A clever embalmer," he writes, "would send back the body perfectly preserved, even the hair of the eyelids and eyebrows remaining undisturbed; the whole appearance so unaltered that every feature might be recognized. The Egyptians therefore, who sometimes keep their ancestors in magnificent apartments set apart, have an opportunity of contemplating the faces of those who died long before them, and the height and figure of their bodies being distinguishable, as well as the character of the countenance, they may enjoy a wonderful gratification, as if they lived in the society of those they see before them."

From The Popular Science Review.
DISTANCES OF THE STARS.

MR. STONE, astronomer-royal at Cape Town, has gone over a portion of the evidence relative to the distribution of the fixed stars with respect to distance. It is singular that a matter so well known should still attract the attention of astronomers, more especially of official astronomers, whose duties in reality have no relation to such questions. "It may have been shown," says Mr. Stone, referring to Mr. Proctor's researches, "that some astronomers have attached undue importance to the numerical accuracy of the results obtained by W. Struve; but I cannot consider that the average distribution of stars according to apparent brightness has been, or indeed ever will be, disproved. I do not know that there is much novelty in my views," etc. And the he proceeds to go over the old ground, very nearly along the old course, coming naturally to nearly the very same goal that W. Struve, Von Littrow, and others have reached. Mr. Stone's mathematical treatment of the portion of the evidence which he selects is of course perfectly sound; and if only that portion is considered, then unquestionably the conclusion at which he arrives must be regarded, not indeed as demonstrated, but as the conclusion which has in its favor the greatest weight of probability. But as there is a great deal of much weightier evidence, which he entirely omits to consider, and as that evidence is not merely opposed to the general conclusion at which Mr. Stone arrives, but demonstrates the incorrectness

of that conclusion, the care and skill with which the imperfect evidence is dealt with, are in reality thrown away. Mr. Stone deals with the observed increase of numbers in stars down to Argelander's ninth magnitude, comparing that increase with what would occur if stellar brightness depended on general distance, stars being scattered with general uniformity throughout space; and he finds a general accordance between this theory and the observed facts, whence he deduces the conclusion that the theory is sound. But as it is certain that if the theory were sound there would be no real aggregations or rather segregations (in *space*) of stars of many orders of real magnitude, and as if there were no such aggregations there would certainly be no apparent aggregations of stars of many orders of apparent magnitude on the star-vault, it follows certainly that if such apparent aggregations exist, the theory of general uniformity of distribution is incorrect. It would not follow certainly, if no such aggregations existed, that the theory was sound, but it is certain that if they exist the theory is unsound. But it has been shown that they exist. They are made manifest to the eye in Mr. Proctor's equal-surface chart of three hundred and twenty-four thousand stars, where in some parts stars are so closely set that there is barely room for them, minute though their discs are, while elsewhere they are strewn very sparsely, the regions rich in stars of the leading orders of apparent magnitude being those very portions of the Milky Way in which stars down to the twentieth magnitude are found in greatest numbers. The theory, then, of a general equality in the distribution of stars in space, even in the neighboring parts of the system of stars, cannot be sound. As Mr. Proctor pointed out in a paper read at the May meeting of the Astronomical Society, if a surveyor were to urge against a theory respecting certain mounds that the mounds have in reality no existence, seeing that, if they were levelled, the general level of the ground would be very nearly the same as though the mounds had not been there, his arguments would not be thought to have much weight. Mr. Stone's theory (sound though its mathematical portion is) is of a similar kind. It is simply a demonstration of the fact that if we leave out of consideration the aggregations of stars on the star-vault, these aggregations no longer afford any evidence of the real aggregation of stars in space.